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**Sent:** 04 September 2024 16:54  
**To:** localplans@charnwood.gov.uk  
**Cc:** Ayres, Tom  
**Subject:** Charnwood Local Plan 2021-2037 Main Modifications Consultation: Representations enclosed  
**Attachments:** REDUCED Final Draft Watermead Lane Representations plus Appendices - 04.09.24.pdf

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Dear Sir/Madam,

On behalf of our Clients (Redrow Homes Limited, Davidsons Developments Limited and the Helen Jean Cope Charity), we are pleased to enclose our Representations for your formal consideration, in respect of the Local Plan 2021-2037 Main Modifications Consultation.

These Representations are available as attached, and also via this WeTransfer link: <https://we.tl/t-ulegVUGbXw>, for your ease of reference.

I would be grateful for your confirmation of receipt by reply, with many thanks.

Kind regards

Helena

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# REPRESENTATIONS: CHARNWOOD BOROUGH COUNCIL LOCAL PLAN 2021-37: MAIN MODIFICATIONS CONSULTATION

on behalf of Redrow Homes Limited, Davidsons Developments Limited  
and the Helen Jean Cope Charity ('the Clients')

794-PLN-MNP-00242  
04 September 2024

## REPORT

### Document status

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### Approval for issue

Tom Ayres

04 September 2024

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**Prepared by:**

**RPS**

**Prepared for:**

**Redrow Homes Limited, Davidsons  
Developments Limited and the Helen Jean Cope  
Charity ('the Clients')**

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Appendix 2 Response to Updated Housing Land Supply Position (EXAM 58J, 58K, 58L, and 58M) (produced by RPS)

Appendix 3 Copy of CBC Pre-application Written Feedback (ref. P/23/0073/2) dated 2023

Appendix 4 Cope Wood Vision Document dated November 2022 (produced by Nineteen47)

Appendix 5 Site Masterplan (produced by Nineteen47)

Appendix 6 Wider Masterplan (produced by Nineteen47)

Appendix 7 Movement and Facilities Plan (produced by Nineteen47)

Appendix 8 Density Plan (produced by Nineteen47)

Appendix 9 Phasing Plan (produced by Nineteen47)

Appendix 10 Hybrid Application Plan (produced by Nineteen47)

Appendix 11 Transport Update Statement (produced by ADC Infrastructure)

Appendix 12 Update on Biodiversity (produced by Ramm Sanderson)

# 1 EXECUTIVE SUMMARY

- 1.1 The enclosed Representation has been prepared by RPS Group on behalf of Redrow Homes Limited, Davidsons Developments Limited and the Helen Jean Cope Charity ('the Clients') in response to the Charnwood Borough Council ('CBC') Local Plan 2021-2037 Main Modifications Consultation.
- 1.2 It pertains to the Clients' interests in Land at Watermead Lane, South of Loughborough ('the Site', CBC site ref. PSH467).
- 1.3 The Representation considers the Main Modifications presented for Consultation on the emerging CBC Local Plan, comprising:
- i. Schedule of proposed Main Modifications (EXAM 81, EXAM 82, EXAM 83A and EXAM 83B);
  - ii. Updated Housing Land Supply position (EXAM 58J, 58K, 58L and 58M); and
  - iii. Schedule of proposed changes to Policies Maps 1 and 2 (EXAM 84).
- 1.4 It reviews the material changes proposed, and identifies the pertinent items for further consideration in respect of:
- Sustainability Appraisal Report Addendum: (EXAM 83A)
  - Housing Trajectory Updates and Five Year Land Supply Land Supply: (EXAM 58J, 58K, 58L and 58M)
  - Schedule of Proposed Changes to Policies Maps: (EXAM 84) in particular the 'Loughborough Urban Area' and 'New Burial Space' designation changes.
- 1.1.1 A review of the Sustainability Appraisal Report Addendum (EXAM 83A) finds that the approach presently proposed will significantly undermine CBC's intention for a highly sustainable, plan-led approach to the provision of new housing. The dismissal of Option 2 sites (and therefore the Watermead Lane site) from the preferred development strategy is fundamentally flawed by virtue of inconsistent and incorrect considerations of the evidence submitted. Omitting this site from the proposed draft housing allocations constitutes a significantly suboptimal solution for CBC that does not follow the evidence and cannot be taken as an appropriate and justified approach based on proportionate evidence.
- 1.5 A review of the Updated Housing Land Supply Position (EXAM 58J, 58K, 58L and 58M) calculates that CBC are unable to demonstrate a five year housing land supply by a significant shortfall. In particular, CBC's ability to address the shortfall over the next five years on adoption of the Plan is jeopardised. Accordingly, CBC will need to identify additional suitable residential allocation sites in the emerging Local Plan, and this should be achieved through further Main Modifications.
- 1.6 A review of the Proposed Changes to the Policies Maps (EXAM 84) supports the inclusion of the Loughborough Urban Area' designation, and objects to the removal of the 'New Burial Space' designation, on account of the misleading presentation of this site's designation as proposed to revert back to 'Countryside'.
- 1.7 These Representations conclude that the CBC emerging Local Plan **is not positively prepared, effective nor consistent with national planning policy** without further modification. We strongly contend that each of these concerns should be robustly addressed and resolved by way of Main Modifications Updates, to ensure CBC's Local Plan soundness and resilience.
- 1.8 It is proposed that the site at Watermead Lane is uniquely placed to help CBC achieve these aims, through the provision of up to 600 policy compliant high-quality new homes (of which 270 are deliverable within the first five years of Plan adoption), in an excellently integrated sustainable forest-community development, which would serve to intensify the quantum of development draft allocated in this area (site ref.s HA15, 16 & 17) whilst also protecting the Outwoods SSSI through a carefully designed landscape-led 'Endscape' to the proposed development in this location to the south of Loughborough.

**Accordingly we respectfully submit that CBC should include this site as a draft allocation within the emerging Local Plan without delay, as part of its requirement to address clear soundness deficiencies identified within this Representation.**

## 2 INTRODUCTION

2.1 The enclosed Representation has been prepared by RPS Group on behalf of Redrow Homes Limited, Davidsons Developments Limited and the Helen Jean Cope Charity ('the Clients') in response to the Charnwood Borough Council ('CBC') Local Plan 2021-2037 Main Modifications Consultation.

2.2 It pertains to the Clients' interests in Land at Watermead Lane, South of Loughborough ('the Site', CBC site ref. PSH467), presented in the Masterplan excerpt below for ease of reference.

**Fig.1: Watermead Lane Masterplan excerpt**



2.3 This Representation follows previous Representations submitted on behalf of the Clients in relation to the Site, in response to the CBC consultations held to date throughout the emerging Local Plan process. Most recently, this comprised Representations made to the Post Examination Consultation, submitted in Autumn 2023 by Pegasus Group Ltd (see Appendix 1).

## Structure and supporting enclosures

2.4 This Representation is broadly structured as follows:

- Identifying pertinent Main Modifications consultation items;
- Appraising the effects of pertinent Main Modification items;
- Summary of the key issues raised and their implications; and
- Proposed solution to alleviate and overcome these implications.

2.5 This Representation is supported by the following items, appended for ease of reference:

1. Copy of Representation made to CBC Post Examination Consultation dated October 2023 (prepared by Pegasus Group Ltd);
2. Response to Updated Housing Land Supply Position (EXAM 58J, 58K, 58L, and 58M) (produced by RPS);
3. Copy of CBC Pre-application Written Feedback (ref. P/23/0073/2) dated 2023;
4. Cope Wood Vision Document dated November 2022 (produced by Nineteen47);
5. Site Masterplan (produced by Nineteen47);
6. Wider Masterplan (produced by Nineteen47);
7. Movement and Facilities Plan (produced by Nineteen47);
8. Density Plan (produced by Nineteen47);
9. Phasing Plan (produced by Nineteen47);
10. Hybrid Application Plan (produced by Nineteen47);
11. Landscape Design Statement (produced by Golby & Luck, embedded within the Representations text);
12. Transport Update Statement (produced by ADC Infrastructure);
13. Update on Biodiversity (produced by Ramm Sanderson);

### 3 MAIN MODIFICATIONS CONSULTATION

- 3.1 Following closure of the hearing sessions undertaken February 2024, the Inspector wrote to CBC (Exam 80) to highlight the key matters that needed to be addressed through Main Modifications to the Plan. CBC responded to the Inspector (EXAM 80A) to answer relevant points raised as part of the hearing sessions held, and to confirm that CBC will progress towards consultation on the Main Modifications including producing updated housing land supply information.
- 3.2 The Main Modifications Consultation comprises the following three categorised elements of material changes proposed to the emerging Local Plan:
- i. Schedule of proposed Main Modifications (EXAM 81, EXAM 82, EXAM 83A and EXAM 83B);
  - ii. Updated HLS position (EXAM 58J, 58K, 58L and 58M); and
  - iii. Schedule of proposed changes to Policies Maps 1 and 2 (EXAM 84).
- 3.3 In accordance with CBC's most recent LDS (April 2024), it is understood that following this Main Modifications consultation, *subject to 'no further examination hearing sessions and that the process subsequently moves toward consultation on modifications without any further impediment,* the Publication of Inspectors' Final Report is anticipated for October 2024 with Adoption by December 2024.
- 3.4 Further to a review of the material changes proposed, this Representation identifies the following pertinent items for further consideration:
- Sustainability Appraisal Report Addendum: (EXAM 83A)
  - Housing Trajectory Updates and Five Year Land Supply Land Supply: (EXAM 58J, 58K, 58L and 58M)
  - Schedule of Proposed Changes to Policies Maps: (EXAM 84) in particular the 'Loughborough Urban Area' and 'New Burial Space' designation changes.
- 3.5 The effects of these will be appraised in the following section.



## 4 APPRAISING THE EFFECT OF PERTINENT MAIN MODIFICATIONS

### 4.1 Sustainability Appraisal Report Addendum (EXAM 83A)

4.1 The Inspector identified (EXAM 80) that CBC should produce a 'note' for submission to the Examination which confirms how CBC identified the sites assessed under Option 2 of the development strategy (as explained by CBC during the hearing sessions).

4.1.1 A review of the Sustainability Appraisal Report Addendum (EXAM 83A) has identified that:

*Only the following Modifications were identified that required further consideration in the SA at this stage. These are as follows:*

- *Modifications that update the housing supply position and identify increased capacity on several site allocations*
- *Several modifications reference the need for good design and integration of developments at certain allocated sites (with regards to infrastructure and facilities).*
- *Modifications relating to affordable housing requirements*
- *A change in the location of primary school from HA48 to HA49*
- *Deletion of the Burial Space Policy*
- *Modifications relating to the approach to flood risk and drainage.*
- *Expanding the focus of rural diversification.*
- *Increased clarity in relation to Policy INF2, stating the need to address transport impacts of new development.*

4.1.2 In relation to the consideration of alternatives, the Sustainability Appraisal Report Addendum notes:

*The Council explored whether there were any reasonable alternatives in relation to the proposed Main Modifications. The key changes relate to the housing strategy and propose to increase intensity at several sites to increase supply. Alternative distributions of growth were explored and tested in previous iterations of the SA, with findings presented in Exam 56, Exam 56A and Exam 57. [Examination reference items Charnwood Additional Housing Supply Technical Note, Charnwood Additional Housing Supply Update September 2023 and Sustainability Appraisal Addendum December 2022, respectively].*

*No further alternatives were identified as being reasonable or needing to be appraised through further SA work.*

4.1.3 As such, we are disappointed to note that the significant beneficial opportunities for the development of the Watermead Lane Site continue to be missed by the emerging Local Plan. As has been set out in earlier representations, this runs contrary to the evidence base informing the Plan.

4.1.4 Whilst we acknowledge CBC's intention to progress Option 1 sites, a 'one size fits all' approach to the housing growth is not appropriate to be applied across all draft housing site allocations. This is particularly the case when seeking to ensure a range of ancillary facilities (onsite public open space, surface water attenuation, sports facilities, play space, education facilities and adequate BNG provision) are provided to ensure the creation of healthy prospective new communities.

4.1.5 The Site is categorised as an 'additional site' (Charnwood Local Plan Sustainability Appraisal Option 2 site). Notwithstanding this, it is clear that in practice the Site would be experienced within the landscape as a logical, cohesive and sensitive extension of the wider swathe of proposed development to the south of Loughborough (draft allocations HA15, 16 and 17- i.e. Option 1 sites).

4.1.6 By pursuing the strategy to intensify Option 1 sites only, we anticipate that CBC unduly limits the potential for sustainable development, and will encounter the following shortcomings with this strategy:

- **Compromised ability of Option 1 sites to comply with other policy requirements (for example Biodiversity Net Gain);**
- **Potentially compromised design outcomes within Option 1 sites owing to intensification measures being symptomatic of overdevelopment;**

- **Limiting the quantum of site allocations (and associated diversity of developers in the industry) to Option 1 sites reduces CBC’s resilience to market fluctuations and housing delivery delays;**
- **Limiting the extent of site allocations to Option 1 sites where there is a highly sustainable surrounding site option prevents fully integrated holistic design-led infrastructure and public amenities solutions for wider public benefit from being proactively provided (and more challenging to retrofit at a later stage);**
- **Reduces CBC’s protection against speculative windfall sites in future, that would not be intended to comply with CBC’s plan-led growth strategy.**

4.1.7 It is therefore considered that this approach will significantly undermine CBC’s intention for a highly sustainable, plan-led approach to the provision of new housing. The dismissal of Option 2 sites (and therefore the Watermead Lane site) from the preferred development strategy is fundamentally flawed by virtue of inconsistent and incorrect considerations of the evidence submitted. In particular, there has been no explanation presented by CBC to date to justify the differentiation of approach taken towards the site (between local plan preparation and pre-application engagement), particularly in relation to Landscape evidence.

4.1.8 Our concerns in relation to this strategy and its limitations are compounded by the findings of our Housing Land Supply study (please see section 4.3 and Appendix 2).

4.1.9 Accordingly, consistent with the concerns previously expressed in the Post Hearing Consultation Representations made in October 2023, it remains our position that omitting this site from the proposed draft housing allocations constitutes a significantly suboptimal solution for CBC that does not follow the evidence and cannot be taken as an appropriate and justified approach based on proportionate evidence.

4.1.10 This is particularly so when the Watermead Lane Site opportunity is considered to strongly align with the objectives of the emerging Local Plan towards new residential development; pertaining to intensification of existing allocations, sustainable development locations within urban areas, comprehensive and integrated design in relation to infrastructure and facilities; in addition to biodiversity benefits aligning with CBC’s Climate Change Strategy.

## 4.2 Transport Contribution Strategy

4.2.1 The Clients form part of a wider consortium of developers which has submitted formal Representations under separate cover to the Leicestershire County Council ‘Charnwood Transport Contributions Strategy’ Consultation (extended deadline closes 6<sup>th</sup> September 2024).

4.2.2 Owing to the comprehensive nature of these separate Representations, we do not intend to cover this topic in full within this submission. However, our Clients wish to stress that any legitimate concerns expressed as to the legality and viability of the TCS (within the consortium representations) would undoubtedly have a corresponding impact on the soundness of Policies INF1 and INF2 (given these policies give the TCS effect) and therefore the ability for the Plan to proceed to adoption.

4.2.3 It is imperative therefore that appropriate consideration is given to the suitability and effect of the TCS (including through additional hearing sessions if required) before such time as Policies INF1 and INF2 are finalised for adoption.

## 4.3 Housing Trajectory and Five Year Supply Position Updates (EXAM 58J, 58K, 58L and 58M)

4.3.1 As per the Inspectors’ Post Hearing Letter of March 2024 (Exam 80), CBC have updated its Five Year Housing Supply Position upon adoption of the Charnwood Local Plan, assuming this is during 2024/25 (Exam 58L). CBC present two supply figures using the ‘Sedgefield’ and ‘Liverpool’ alternative methods for dealing with the under-delivery of housing (1,293 dwellings) since the start date of the new Plan (April 2021).

4.3.2 Exam 58L calculates that the resultant housing land supply is either 5.01 (applying the Sedgefield Method - i.e. distributing the deficit across the first five year trajectory) or 5.62 (applying the

Liverpool Method - i.e. distributing the deficit equally across the entire plan period), based on a deliverable supply of 7,613 dwellings during a five year period 2024-2029. In addition to an updated supply position, CBC have also produced an updated Housing Trajectory (Exam 58J).

4.3.3 RPS has undertaken a detailed analysis of the sites in the Council's updated supply position as included in the updated housing trajectory and produced a separate report entitled Response to Updated Housing Land Supply Position (Exam 58J, 58K, 58L and 58M) included at Appendix 2).

4.3.4 The key findings of this report are summarised below.

- There are 16 sites within the existing supply (EXAM 58M) where we dispute the deliverability assumptions put forward by the Council. The full assessment is set out in Appendix 1 of the report.
- Our assessment includes a review of the sustainable urban extensions in the adopted Core Strategy, in particular North East of Leicester (LUA2) and West of Loughborough (LUC2); both of which have planning permission. Whilst we accept these two SUEs remain deliverable in principle, we nonetheless contend that the delivery assumptions are in all cases over-optimistic and should be revised downwards. The full assessment details for the SUEs is set out in Appendix 2 of the report.
- We contend that the total deliverable supply from existing sources of supply **should be reduced from 5,941 to 3,835 dwellings, a reduction of 2,106 dwellings.**
- In relation to future supply (those sites not included in EXAM 58M) our assessment has reviewed the proposed site allocations without permission. Our assessment of the proposed site allocations without permission is set out in Appendix 3. We contend that the deliverable supply from newly allocated sites should be **reduced from 1,546 to 927 dwellings, a discount of 619 dwellings.**
- Based on our analysis, we contend that an **overall deduction of 2,305 should be applied to the updated land supply position in Charnwood.**
- The supply position in Charnwood on adoption would therefore range between **3.49 – 3.63 years** when the shortfall is dealt with over the next five years (the 'Sedgefield' method), (the correct method as per the NPPG) and between 3.92 – 4.07 years when the shortfall is spread over the remainder of the plan period.

### Calculating the Housing Land Requirement

4.3.5 As acknowledged by CBC in Exam 58L, a shortfall exists of 1,293 dwellings delivered against the housing requirement since the start of the Plan period. The PPG is very clear that any shortfall should be addressed in the first five years, i.e. via the Sedgefield Method, rather than over the Plan period, i.e. via the Liverpool method. The Council in their updated documentation have not provided any justification for using the Liverpool method, and therefore the soundness of the Plan should be assessed in the context of the Sedgefield method, in addition to any consideration of past delivery in future supply assessments. A modification to this effect should be made accordingly.

### Plan Period

4.3.6 As per previous representations, the housing trajectory covers a period to 2037. The Local Plan is now not due to be adopted until late 2024, which would mean that the plan will fail to cover the minimum 15 year period from adoption as required by paragraph 22 of the NPPF.

4.3.7 A modification should be brought forward which extends the Plan period to cover this minimum 15 year period post adoption. If the Plan is adopted after 31<sup>st</sup> March 2025, as appears possible, consideration should be given to extending the plan period to 2041. This would further increase the housing requirement by an additional three years, adding to the housing requirement and further adding to the need for additional allocations beyond just intensifying sites. It is worth noting here the comments made by the Inspectors for the emerging Leicester City Local Plan in a letter to the City Council dated 5 December 2023 which states:

- 4.3.8 *“..The Plan period runs from 2020-2036, meaning that, by the time it is adopted, there will be around 11-12 years of the Plan period remaining. Paragraph 22 of the National Planning Policy Framework (the NPPF) expects strategic policies to look ahead over a minimum 15-year period from adoption and for larger scale developments, including significant extensions, policies should be set within a vision that looks at least 30 years ahead. As such the Plan would not be consistent with national policy in these respects... “*
- 4.3.9 Clearly the same requirement should fall upon CBC to ensure consistency with national planning policy.

### Conclusions on Housing Land Supply

- 4.3.10 The analysis in the accompanying RPS Report (Appendix 2) bring into sharp question CBC’s ability to demonstrate a five year housing land supply from the intended date of adoption of the Plan, which was specifically requested by the Inspectors in their correspondence with the Council in 2022.
- 4.3.11 Our analysis calculates that CBC are unable to demonstrate a five year housing land supply by a significant shortfall. Accordingly, CBC will need to identify additional residential allocation sites in the emerging Local Plan, and this should be achieved through further Main Modifications and debated at further MM’s Examination Hearings.
- 4.3.12 A broader conclusion drawn is that by pushing back some of the supply beyond the five year period, this has the effect of jeopardising the Council’s ability to address the shortfall over the next five years on adoption of the Plan. This is reflected in the updated Plan supply assessment undertaken by RPS and goes to the heart of demonstrating the Plan is positively prepared, effective and soundly-based. As such, it is important that any additional residential development sites allocated to resolve the identified shortfall can deliver housing supply in the short term- over the next five years on adoption of the Plan. As identified in section 6 of this report, the site at Watermead Lane, SW Loughborough is capable of delivering 270 of its 600 dwelling capacity in the first five years.

## 4.4 Policies Map changes (EXAM 84)

### ‘Loughborough Urban Centre’ designation

- 4.4.1 The proposed inclusion of a new designation item within the updated Policies Map Key to identify the extents of the ‘Loughborough Urban Centre’ area is strongly supported.
- 4.4.2 In particular the positioning of the designation extent to the south of the settlement is welcomed for its logical landscape-led approach, following the contour ridge in this location.
- 4.4.3 It is considered that this will allow CBC decision makers’ enhanced clarity for assessing the merits of proposed developments in relation to the vitality of Loughborough.
- 4.4.4 Loughborough Urban Centre is defined within the emerging Local Plan as the ‘main economic, social and cultural heart of the Borough’. Emerging Policy LUC1 (‘Loughborough Urban Centre’) notes that development that does the following will be supported:

- delivers allocations in accordance with Policy DS3 and DS4 or sustainable development that is in accordance with the pattern of development outlined in Policy DS1 and which supports our vision and objectives including making effective use of land;
- ensures the timely and coordinated delivery of infrastructure to support sustainable communities and address cumulative impacts, in accordance with Policy INF1 and INF2; including but not limited to the measures to be identified through the Transport Strategy for Loughborough Urban Centre and Shepshed Urban Settlement to be prepared under INF2.
- improves connectivity and accessibility within Loughborough and to surrounding settlements, particularly by walking, cycling and public transport, in accordance with Policy

CC5 and identified through the Loughborough Area Local Cycling and Walking Infrastructure Plan;

- provides urban form which integrates with the wider landscape setting and responds positively to the relevant local landscape character area of Charnwood Forest, Soar Valley or Langley Lowlands, in accordance with Policy EV1;
- protects and enhances the Charnwood Forest and River Soar and the strategically important links in the wildlife networks which connect them, in accordance with Policy EV6;

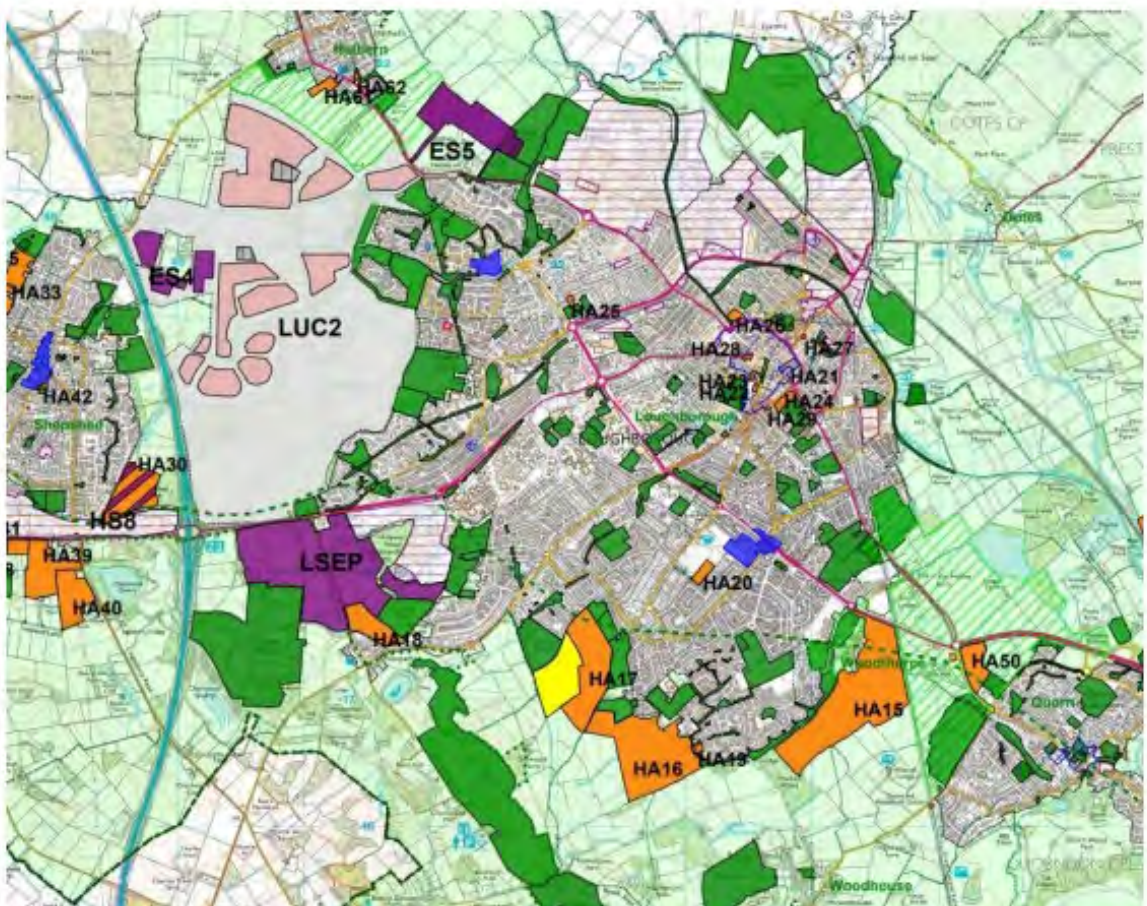
[Non-exhaustive list of criteria taken from Policy LUC1 wording. CBC underlining emphasis shown].

4.4.5 It is clear that the proposed development of the Watermead Lane Site strongly accords with the aims of Policy LUC1, and its visual inclusion within the helpful demarcation of this designation in the updated Policies Map is supported.

**‘New Burial Space’ designation**

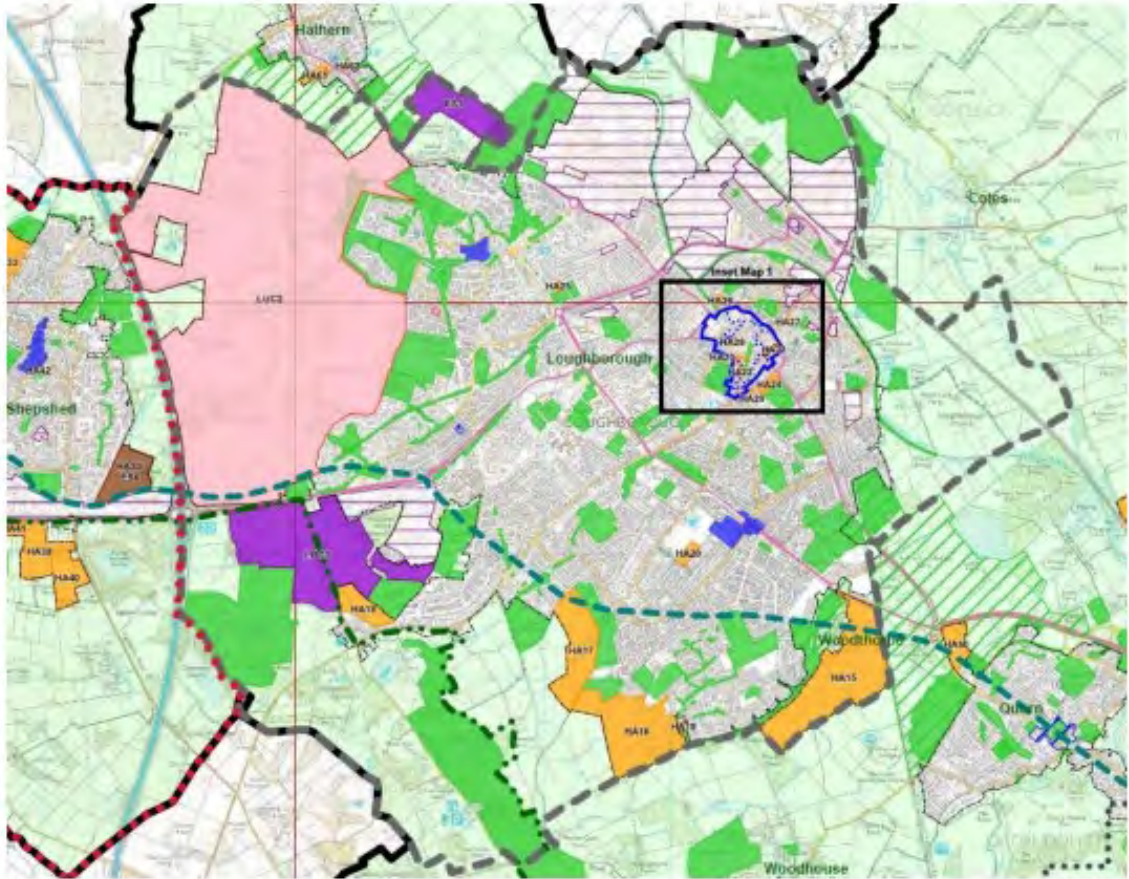
4.4.6 The Pre-Submission Draft Version of the Policies Map shows the Nanpantan Road Cemetery as a designated ‘New Burial Space’ in yellow (see Policies Map excerpt below for ease of reference):

**Fig.2 Pre-Submission Draft Version of CBC Policies Map**



4.4.7 However the ‘Updated Version (based on proposed changes)’ proposed under this Main Modifications Consultation omits this land use designation, for reasons given under Schedule of Proposed Main Modifications references MM149 and MM150 that Policy EV12 is no longer required (as the burial space proposal is complete) and will be deleted (see Policies Map excerpt below for ease of reference).

Fig.3 Updated version (based on proposed changes) of CBC Policies Map



- 4.4.8 Notwithstanding that Nanpantan Road Cemetery is complete and in-situ at this location such that a proposed policy may no longer be required in the emerging Local Plan, we consider that the classification of this land use in the proposed updated version of the Policies Map is misleading and unrepresentative of the Cemetery development.
- 4.4.9 Accordingly, the Policies Map should be updated to accurately reflect the existing development in this location, and remove the 'Countryside' designation.

## 5 SUMMARY OF THE EFFECTS OF THE MAIN MODIFICATIONS

- 5.1 This representation identifies two key areas of concern with CBC's Main Modifications pertaining to soundness implications of the emerging Local Plan. These relate to the Sustainability Appraisal Addendum, and to the Housing Land Supply Update.
- 5.2 The approach undertaken by CBC towards the Sustainability Appraisal (and its continued dismissal of sustainable, available and deliverable Option 2 sites) is fundamentally flawed. The approach fails to accurately reflect technical assessments forming part of the emerging Local Plan's evidence base (for example, pertaining to Landscape), or adequately justify and reconcile significantly different approaches towards site considerations within internal CBC departments (i.e. the disparity of CBC's position in appraising the Watermead Lane site for proposed development prospects for the emerging local Plan, against the formal pre-application feedback issued). Accordingly, the approach taken is **neither justified nor effective** in delivering on the Plan's objectives nor meeting its housing requirement.
- 5.3 Similarly, the approach undertaken by CBC towards the calculation of housing land supply (and associated delivery trajectory) is in dispute by a significant quantum. The RPS Report has identified that there is approximately a 1-2 year supply disparity between the CBC figures stated within the Main Modifications housing land supply update, and the RPS Report. This is found to be as a result of a range of delay factors which have not been adequately considered in the CBC calculations to date. Accordingly, the Plan **is not positively prepared, effective nor consistent with national planning policy** without further modification.
- 5.4 Accordingly, we strongly contend that each of these concerns should be robustly addressed and resolved by way of Main Modifications Updates, to ensure CBC's Local Plan soundness and resilience in this regard.

## 6 PROPOSED SOLUTION

- 6.1 From a review of the Main Modification items and analysis of the resultant implications (above) it is clear that Charnwood Borough Council will need to identify additional major residential development sites for draft allocation within the emerging Local Plan to ensure it responds robustly and pro-actively to acute housing need over the initial five year period post adoption, whilst also ensuring that an adequate supply of sites to meet the housing requirement can be delivered over the minimum required 15 year period post adoption.
- 6.2 The site at Watermead Lane is uniquely placed to help Charnwood Borough Council achieve these aims.
- 6.3 An introduction to the site and its background context, including details of the proposed development potential is summarised below. Thereafter, this section of the Representations includes a summary of the multidisciplinary assessments which have considered the proposed development, and an appraisal of the multitude of ways in which the identification of this site as a draft allocation would provide significant benefit to CBC and the vitality of Loughborough.

### 6.1 The Site, background context and proposed development

#### The site

- 6.1.1 A summary of the key planning policy designations pursuant to the site is provided below.
- 6.1.2 The site lies immediately adjacent to the proposed expansion of the designated settlement boundary, and within the designated Loughborough Urban Centre. It has been assessed in relation to its merits for residential development by a multidisciplinary project team, and by CBC during pre-application engagement. Both parties have found that the site does not pose insurmountable technical constraints to development.
- 6.1.3 The majority of the site is within Flood Zone 1 (the Zone of least Flood Risk). Public Footpath ref. K58 intersects the site, in addition to other public footpaths nearby.
- 6.1.4 The site surroundings are summarised as follows:
- To the north, the site is directly bounded by the proposed expansion of the designated settlement boundary with existing residential use beyond. To the north-east of the site are existing sport facilities and cemetery uses.
  - The open land immediately to the east and south-east of the site and beyond is the subject of draft allocations for major residential development within the emerging Local Plan (CBC ref. HA15, HA16 and HA17).
  - Directly to the south of the site is open countryside.
  - Directly to the west of the site is Jubilee Wood / Out Woods (SSSI).

#### Background context

- 6.1.5 The site was the subject of pre-application engagement with CBC dated January 2023 (CBC ref. P/23/0073/2 see Appendix 3). At the time of pre-application submission and Officer's feedback, CBC were unable to demonstrate a five year housing land supply.
- 6.1.6 Owing to the findings of our five year housing land supply update analysis (set out at section 4.3 of these Representations and at Appendix 2) it is therefore considered that the circumstances in which the site should be considered (i.e. with a presumption in favour of sustainable development), and the crux of the pre-application advice summarised below remains valid.
- 6.1.7 The following extracts of the CBC pre-application advice are provided for ease of reference:

Though 'countryside', the site has no 'special' designation such as being an Area of Local Separation or Green Wedge in either existing or emerging local planning policy. It is not



considered that the site is included in a 'valued landscape' within the terms provided by NPPF para 174 (a).

The Council recognises that because of the current lack of a 5-year supply of housing land (which stands at 4.27 years) and the age of Core Strategy Policy CS1 and Local Plan policies CT/1 and ST/2, the weight that can be ascribed to them is reduced, and paragraph 11d of the NPPF applies.

The site is located close to the settlement of Loughborough, where Core Strategy policy CS1 directs further housing growth as it is considered to be a sustainable location.

....

The proposal would be contrary to the Development Plan in principle but would result in 600 new dwellings at a time when the Local Planning Authority cannot demonstrate a five-year supply of housing land. This is regarded as a benefit of the development which is required to be balanced against any harm identified.

....

Therefore, upon analysis of the proposals as presented, no insurmountable 'red lines' are identified and with appropriate design and mitigation it is considered that the site is capable of development. Such an analysis of the site is, of course, in isolation of the potential overall development strategy that is to be pursued in a future Local Plan. The site's 'fit' within this potential strategy will be fundamental in determining whether it is taken forward in a future Local Plan

....

The information submitted provides a helpful explanation of what form development could take and therefore how the site's constraints and sensitivities can be approached. It is considered that the siting of the development 'parcels' are the optimum choices from within the confines of the site and the explanation of landscaping and the style of development are welcome.

....

The document presents the prospect of protecting the setting of the Outwoods through control of the land up to the edge of the woodland. The safeguarding of this land from built development is clearly preferable than the prospect of new homes being built at this part of the site.

....

The way this land is brought forward would ideally realise benefits to recreation and biodiversity, support the integration of development into its setting without losing the current benefits of openness that are highlighted above.

....

... the various constraints applicable to the site appear manageable and some may be less severe than those applicable to some other sites which may come forward

....

I trust you take reassurance from the robust and objective manner in which the site was assessed in the evidence base for the current Local Plan, and as referred to above concluded that there were no insurmountable barriers to the capability of the site to be developed, and we can assure you of objective assessment in future exercises.

6.1.8 Overall, it is clear from CBC's considerations of the site in these pre-application feedback citations that there are potential positive opportunities to explore in relation to its proposed development.

## Proposed future development benefits

6.1.9 The site benefits from excellent sustainability credentials and has been the subject of multidisciplinary assessments to appraise the most suitable proposed development scheme. The enclosed Vision Document illustrates how a landscape-led proposal could deliver the following meaningful benefits in the near future:

- Residential development of up to 600 high quality new homes, including policy compliant affordable housing provision;
- A unique National Forest community identity, with approximately 80% of the total site area committed to Green Infrastructure;
- Enhanced connectivity through provision of new and enhanced pedestrian routes, cycle routes, vehicular accesses and extended bus services;
- 58Ha publicly accessible green space, with timber childrens' play facilities;
- Significant new tree and wildflower meadow planting initiatives;
- Provision of a Biodiversity Net Gain; and
- A Biodiversity Bank for the wider area.

## 6.2 Multidisciplinary Assessments

6.2.1 The project's design evolution has been the product of careful consideration from several multidisciplinary sectors. This section summaries the findings of the recent technical work undertaken on the proposed development.

### **Vision Document and Parameter Plans, prepared by Nineteen47 (see Appendix 4)**

6.2.2 Cope Wood Vision Document demonstrates how the proposed development would be designed to have a core appreciation of sustainability, through apportioning 80% of the site to green infrastructure and through significant quantum of new (meadow and tree) planting as a proposed New Forest Community. These are notable sustainability features that strongly align with CBC's policy direction in this regard (for example, the CBC Climate Action Plan).

### **The Site Masterplan and Wider Masterplan (see Appendices 5 and 6)**

6.2.3 The Site Masterplan and Wider Masterplans are resubmitted with these Representations for ease of reference.

6.2.4 The Site Masterplan illustrates how the proposed development would be sensitively designed to wrap around the edge of the built form existing and currently proposed at the Cemetery site, and parcels HA16 and HA17, to provide a protected 'Endscape' treatment to this swathe of new development south of Loughborough.

6.2.5 The Wider Masterplan illustrates how the proposed development would be experienced as a logical and cohesive component of forthcoming development in the swathe of new development (draft allocations HA15, 16 & 17).

### **The Movement and Facilities Plan (see Appendix 7)**

6.2.6 The Movement and Facilities Plan illustrates how the proposed highways links and pedestrian links would connect in to the existing highway and PRow networks at the Site and its surroundings. These are shown within the context of the wider draft site allocations swathe to the south of Loughborough, connecting directly into draft allocated site HA17 and beyond to various existing and proposed local facilities (such as the new two form entry primary school in HA15). Similarly, the plan shows how linkage directions vice versa into the proposed development site

from the surroundings would enhance connections for wider communities to benefit from the public open space and play space facilities.

- 6.2.7 The enhanced flow through the sites as a result of these connections is consistent with the aims of the Loughborough Urban Centre Policy LUC1 to 'improve connectivity and accessibility within Loughborough and to surrounding settlements, particularly by walking, cycling and public transport'.
- 6.2.8 Furthermore, in relation to the proposed highways link in particular, this plan demonstrates the significant beneficial infrastructure improvements that the allocation of the Watermead Lane site could facilitate in connecting to Nanpantan Road and alleviating some local road network pressure borne from the wider development impact.

### **The Density Plan (see Appendix 8)**

- 6.2.9 The Density Plan illustrates the proposed residential densities (calculated in dwellings per hectare) and how these will be categorised into Low Density areas (up to 25 dph) and Medium Density areas (up to 37 dph). The Plan demonstrates that the Low Density areas are positioned along the western edge of the proposed built form, to allow the development to taper into the public open space areas. This proposed density design approach has been directly informed by the landscape-led approach to site sensitivities.

### **The Phasing Plan (see Appendix 9)**

- 6.2.10 The Phasing Plan illustrates the suggested apportionment of a total of four development parcels across the site, with the intention that each of the two Developers would construct a first and second phase respectively. The residential capacities of these four parcels range from 100 dwellings to 170 dwellings.

### **The Hybrid Application Plan (see Appendix 10)**

- 6.2.11 The Hybrid Application Plan illustrates the sequencing in which the proposed development would come forward which could take the form of a hybrid planning application. This would deliver detailed consent at phases 1 and 2 and outline consent at phases 3 and 4.
- 6.2.12 Firstly, the two northernmost development parcels (Phase 1 and Phase 2) would be constructed first simultaneously (one parcel per Developer), with access off Nanpantan Road. The combined residential capacity of this build stage is 270 dwellings, reflecting the fact that the site is controlled by two developer housebuilders each of which will be building the parcels out directly - eliminating time delay necessitated by site market sales from Promotor to Developer and that both housebuilders would operate simultaneously and independently of each other in relation to construction and sales; resulting in double outlets, double build-out rates and corresponding double sales rates for optimised pace of delivery and occupation on the site.
- 6.2.13 The delivery of 270 homes would coincide with CBC's initial five year term of the plan period. From a housing land supply trajectory consideration therefore, **this site would have a direct and meaningful contribution to alleviate the housing land supply trajectory shortcomings currently identified for the first five years.**
- 6.2.14 Secondly, the two southernmost development parcels (Phase 3 and Phase 4) would be constructed simultaneously (one parcel per Developer), to follow on from the access created from Nanpantan Road, and to link into draft allocation sites HA16 & HA17 thereafter. We would anticipate these phases to come forward later in the Plan, i.e. after the first five years.

### **Transport Update Statement, prepared by ADC Transport (see Appendix 11)**

- 6.2.15 The Transport Update Statement confirms that access to the site can be provided from Nanpantan Road. Additionally, the site's development has the opportunity to facilitate integrated access provision with the adjacent allocated sites (HA16 and HA17). As the road network would accommodate buses, cycle lanes, and pedestrian routes, the proposed development would therefore allow accessibility and permeability by all modes of transport.

- 6.2.16 The Transport Update Statement confirms that in relation to sustainable transport credentials, the site would have excellent accessibility, with existing bus services on the edges of the site and the opportunity to enhance and/or divert them offered by the development. Additionally, healthcare and secondary school facilities would be within walking distance.
- 6.2.17 The Statement notes that the proposed public open space to the west of the proposed development alongside enhancement of the limited number of existing footpaths, and the proposed provision of new routes, would be a significant advantage in improving accessibility to open green space.

### **Landscape Statement Update, prepared by Golby and Luck (see below)**

- 6.2.18 The approach to development has been landscape led, responding to its immediate setting, and its wider location forming part of the transitional landscape between Loughborough and the forest edge.
- 6.2.19 Of the total site area, 80% of this site area would be committed to Green Infrastructure, which demonstrates the significant consideration that the project team have given to landscape sensitivities, proposed development extents, and securing an appropriate buffer distance between Outwoods and the proposed residential dwellings.
- 6.2.20 The key parts of the landscape strategy can be summarised under the following headings:

#### **Landform**

- 6.2.21 The consideration of landform has been central to the landscape strategy, seeking to limit development to the flatter low lying areas of farmland that share a more immediate relationship with the settlement, and maintaining the open setting of rising farmland that ascends towards the wooded ridgeline of the forest edge. Adopting this strategy will protect both views from the settlement towards the forest, and elevated views from the forest edge looking back across Loughborough and the wider setting of the Soar Valley.

#### **Holistic Design**

- 6.2.22 The land under the control of this promotion extends between the settlement and the edge of the forest. The consideration of landform has set the edge of the proposed extension of the settlement, but the ability to allocate and gift to Loughborough Town the remaining extensive track of land that extends up to the forest edge gives permanence to the proposed building line that provides a level of certainty that cannot be afforded by the majority of development proposals.

#### **Protection of Charnwood Forest**

- 6.2.23 This proposal has considered the protection of the Charnwood Forest at both a site and local level. At a site level, the adopted landscape strategy secures:
- 6.2.24 A considered allocation of housing and density. Development is proposed in relatively small parcels that will embody a strong character reflecting the key quality of Loughborough Town and the forest. The character and density will transition between the town and forest reducing in density towards the forest to secure a crumbling edge capable of receiving high levels of new landscaping;
- 6.2.25 A treed and wooded edge to the development that will protect open views from the farmland setting between Outwoods and the settlement;
- 6.2.26 A high level of tree cover within the development that will serve to break down the scale and mass of new housing seen in elevated views from the edge of the forest; and
- 6.2.27 The cessation of the existing intensive arable land management that runs up to the immediate boundary of Outwoods which is a designated Site of Special Scientific Interest and area of Ancient Woodland. The adopted landscape strategy will implement a new extended edge of woodland and scrub at this boundary to protect and reinforce this asset, complimented by wider species rich grass meadows; and

- 6.2.28 The creation of extensive new areas of publicly accessible green space will provide extended access and recreation for the people of Loughborough that will relieve the pressure of public access on sensitive habitats associated with Outwoods.
- 6.2.29 At a local level, protection has been given to the setting of the Charnwood Forest through the consideration of key views:
- 6.2.30 Looking out from Loughborough consideration has been given to a key view from Nanpantan Road and its associated sections of public bridleway. Emerging from the settlement there is a key view from the highway and public right of way looking up towards the wooded edge of the forest on the ridge. Development has been excluded from the fields fronting Nanpantan Road to protect these views;
- 6.2.31 From the forest edge there are extensive elevated views from the existing public rights of way looking out across Loughborough and the wider setting of the Soar Valley. Development has been restricted to the low-lying flatter land that reads in the context of the existing settlement to protect these views; and
- 6.2.32 Beacon Hill and Bradgate Country Park are undoubtedly the two key assets of the Charnwood Forest, embodying the upland qualities that are distinctive to the forest that combine heathland, rocky outcrops, ancient trees cover and woodland with extensive views across the wider landscape setting. From Beacon Hill Country Park there are extensive views across Loughborough and the Soar Valley where the majority of the draft housing allocations can be seen and if developed will extend the urban context of Loughborough. The nature of intervening landform and woodland cover screens the land at Nanpantan Road in views from Beacon Hill, securing a development that will not result in any adverse effect to the setting of this key asset.

### Public Access

- 6.2.33 The creation of extensive publicly accessible meadows between Loughborough and Outwoods will provide connect green space between the settlement and the forest. Within this new network opportunities will exist to provide extended recreation space with associated facilities, adding to the Town's parks and gardens and providing relief to the access demands of the designated woodlands associated with the forest. Such space will also provide inclusive access to the forest environment that is currently not available, and the opportunity to secure a gateway facility to the Regional Park with parking, tourist information and interpretation.

### Biodiversity

- 6.2.34 Given the scale, nature and sensitive approach adopted by this proposal, there is no reason why the development will not be able to secure a 10% net gain in biodiversity. This leaves the extensive area of proposed meadows leading up to the forest to be captured as a local biodiversity bank site capable of servicing the offset requirements of developments in and around the Loughborough area.

### Update on Biodiversity, prepared by Ramm Sanderson (see Appendix 12)

- 6.2.35 This considered the Biodiversity Net Gain of the proposal in more detail in accordance with the latest Defra metric, confirming that the site proposals can deliver a net gain in both habitat and hedgerow units, with a significant exceedance of the 10% net gain policy requirement in relation to habitat units (83.49%).
- 6.2.36 The Update on Biodiversity also reiterates that a proposed enhancement area within the site will be utilised to offset the housing and to deliver a habitat bank in Loughborough. Accordingly, the proposals would significantly elevate and protect local biodiversity, provide structural diversity, and ecological connectivity and value to local fauna species.

## 6.3 Appraisal of the Site's benefits to CBC

- 6.3.1 The inclusion of this site as an additional parcel to the swathe of wider draft allocations to the south of Loughborough would have multiple significant benefits:

1. Opportunity to address CBC’s deficient Housing Land Supply position in a highly sustainable location with cohesive, integrated, plan-led growth.
2. The site has capacity for a meaningful quantum of up to 600 high-quality policy-compliant new private-market and affordable tenure homes to contribute to the continued vitality of Loughborough, without adversely impacting the surrounding environment.
3. Opportunity for CBC to allocate a site which accords with the spirit and objectives of the emerging local plan preferred approach to intensify existing allocations, where there are no insurmountable technical constraints that would preclude the suitability of the site from the proposed development (confirmed by CBC Officers in formal pre-application engagement)
4. The Applicants comprise two highly-regarded Developers, which provides CBC with certainty in relation to the scheme design quality outcomes and assurance regarding delivery by virtue of an increased build rate, dual sales outlets and market diversification.
5. The Applicants have had regard to how the proposed development could come forward in Phases; the first of which could be delivered within the first five years of the Local Plan adoption to directly assist CBC with the particularly front-ended housing land supply shortfall identified.
6. The site presents the opportunity for strategic plan-making benefits to CBC through the provision of enhanced public transport, vehicular, cycle and pedestrian connections from the proposed development through to draft allocations HA 15, 16 and 17: consistent with the aims of Loughborough Urban Centre policy.
7. Opportunity to alleviate of vehicular traffic pressure on wider road network via the provision of an access into the site via Nanpantan Road, consistent with CBC/LCC aspirations.
8. Creation of enhanced amenity within the site for existing and prospective CBC residents to enjoy; comprising provision of new public open space and play space facilities. The proposed siting of these between the proposed built form and the Outwoods would serve a dual purpose: to provide an appropriate buffer distance, and to encourage the focus of recreational footfall outside the SSSI, helping to protect this area.
9. Contribution towards the wider allocation facilities, such as the new 2 form entry primary school (designed to meet LCC’s LEA requirements) to be provided on HA15, with reasonable costs to be shared amongst the developments that it would serve (as stated within the Draft Local Plan wording for site allocations HA15, 16 and 17).
10. Landscape-led design approach, consistent with the strong emphasis throughout the CBC draft allocated sites on wildlife connectivity and onsite BNG provision, protecting settlement identities and landscape character, views and sensitivities, and mitigating urbanising effects.
11. Opportunity to pro-actively design a lasting ‘Endscape’ to the CBC draft allocation swathe and permanently secure an appropriate design solution to the western edge of the existing draft allocation. Thus, ensuring certainty in relation to the buffer distance from the Outwoods and protection from speculative future applications.
12. The site has excellent sustainability credentials and will meaningfully contribute to CBC climate action plan initiatives through both Biodiversity Net Gain provision, and the Biodiversity Bank initiative.

## Delivery of Land South of Watermead Lane within first Five Years

- 6.3.2 The ability of Phases 1 and 2 to deliver within the first five years of the plan period has been robustly considered in the context of the site specific advantages available for Watermead Lane, and the following timeline:
1. The site has its own independently controlled access from Nanpantan Road
  2. Both Developers are high-regarded and established, with proven track record experience in major development site delivery and consortium site coordination procedures.
  3. Both Developers are housebuilders and will be building the parcels out directly - eliminating time delay necessitated by site market sales from Promotor to Developer.

4. Both Developers would operate simultaneously and independently of each other in relation to construction and sales; resulting in double outlets, double build-out rates and corresponding double sales rates for optimised pace of delivery and occupation on the site.
5. To achieve this, the timeline assumes that a Hybrid Application (in compliance with CBC policies and in strong accordance with a new draft allocation Policy for the site) would be submitted in Year 1 of the plan period; the application would be positively determined by CBC in Year 2; construction site start and the first new dwellings would be delivered in Year 3; and Years 4 and 5 of the plan period would continue housing delivery (a combined build-out rate of approximately 100 dwellings per annum).

6.3.3 Accordingly, to achieve the significant benefits proposed above, it is strongly recommended that these Modifications set out below are implemented without delay.

## **6.4 Proposed Main Modifications in relation to South West Loughborough**

6.4.1 As outlined above, the site can be used to directly comply with the objectives of the CBC Local Plan and the pressing short-term 5YHLS shortfall identified.

1. Draft CBC Local Plan - The draft CBC Local Plan should be updated to include an additional Site Allocation Policy (suggest this could be referred to as draft allocation Policy DS3(HA17A)) to allocate the site at Watermead Lane in full, and appraise the impacts of this in an updated sustainability appraisal.
2. Sustainability Appraisal – The Sustainability Appraisal Addendum should be updated to assess the effect of additional site allocations as an alternative to the one-size-fits-all approach to categorising sites into Options 1, 2 and 3 for the CBC development strategy (and only progressing Option 1 sites). The updated Addendum should assess the impact of a blended approach to the development strategy and from additional site allocations, acknowledging that where Option 2 sites directly abut and enter into the spirit of the intensification of existing allocations, they may be considered appropriate for sustainable residential development.
3. Housing Land Supply Update- This should be updated to identify the site in full as an additional allocation, with Phases 1 and 2 distinguished for early delivery opportunities.
4. Housing Land Supply Trajectory- This should be amended to reflect Phases 1 and 2 (combined residential capacity of 270 dwellings) available to be delivered within the first five years. The remaining residential dwellings (330) in Phases 3 and 4 should be distributed for delivery across the following three to four years.

## 7 SUMMARY

- 7.1 As identified within this Representation, there are key matters of soundness identified within this representation that are not currently addressed by the proposed Main Modifications that render the current Plan not positively prepared, not justified, not effective and not consistent with national planning policy. To address such deficiencies, RPS propose that additional residential site allocations are required.
- 7.2 The Watermead Lane site is available, suitable for much needed local housing development and partly and meaningfully deliverable (270 homes) in first five years of the Plan. The proposed allocation of the whole site (up to 600 homes) would meaningfully contribute to CBC's identified housing supply shortfall, but also provide a unique package of environmental, social and economic benefits to Loughborough, in conjunction with the proposed allocations on the SW side of Loughborough, which would otherwise not be delivered.
- 7.3 Its development would also be consistent with the objectives and spirit of the emerging Local Plan preferred approach to identify increased housing capacity at existing allocations, owing to its integrated logical relationship to the wider swathe of land to the south of Loughborough identified for development (under draft allocations HA15, 16 and 17).
- 7.4 Accordingly, the Site should be identified as a draft allocation for major residential development in the emerging Local Plan now to address the key issues and shortcomings of the Main Modification items raised.
- 7.5 Additionally this opportunity for pro-active collaborative plan-led growth on the site would also provide CBC with the certainty of landscape-led design solutions to provide an 'Endscape' to the south of Loughborough developments, whilst also designing in an appropriate permanent edge to the Outwoods and protect the land from speculative future applications.
- 7.6 To not allocate the site for residential development at this stage would undermine the site's full potential to come forward in the most cohesive, integrated design-led manner in the future. It would additionally constitute a suboptimal outcome on at least three accounts:
1. For the wider allocation (by preventing improved flow of movement throughout the sites, and preventing shared provision costs and enhanced amenity provision);
  2. For the settlement of Loughborough (by preventing the delivery of a traffic alleviation solution on the wider road network); and
  3. For CBC (by preventing policy compliant housing delivery in a highly sustainable location, on which CBC's own Officers have confirmed in pre-application engagement there are no insurmountable technical constraints to preclude the development of the site).
- 7.7 **Accordingly we respectfully submit that CBC should include this site as a draft allocation within the emerging Local Plan without delay, as part of its requirement to address clear soundness deficiencies identified within this Representation.**



## A.1 Appendix 1

# **Charnwood Local Plan.**

## **Post Examination Consultation Representations.**

On behalf of Redrow Homes, Davidsons Developments Limited  
and the Helen Jean Cope Charity.

Date: 24 October 2023 | Pegasus Ref: P21-0492

Author: Sophie Truth/Clare Clarke

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# 1. Introduction

- 1.1. These representations have been submitted by Pegasus Group on behalf of Redrow Homes, Davidsons Developments Limited and the Helen Jean Cope Charity in response to the Post Local Plan Examination Hearing Consultation relating to the Sustainability Appraisal Addendum, Five Year Supply Update, Housing Trajectory, Draft Transport Strategy and updated Viability Evidence.
- 1.2. They relate to our clients' interests in Land at Watermead Lane, South West Loughborough. The site is owned by a local Charity, who donated Outwoods to the Borough Council.
- 1.3. Our clients have sought to engage fully in the preparation of the plan, making submissions on the Call for Sites, Regulation 18 and Regulation 19 consultations and the Examination in Public process, and are actively seeking the allocation of their site in the plan. The proposed allocation is appropriate and deliverable, being promoted by two regional house-builders with an enviable track record of delivery locally.
- 1.4. The following sections set out our comments on the documents included in this consultation.



## 2. The Sustainability Appraisal Addendum

- 2.1. The Charnwood Local Plan Sustainability Appraisal (SA) (December 2022) produced by AECOM has been prepared to explore options to meet Charnwood's share of unmet housing needs arising from Leicester and retail site options in Loughborough. In terms of Charnwood's share of unmet need, the report looks at three reasonable alternatives that have been identified for the delivery of an additional 78 dwellings per year, each of which have been appraised; Option 1 – site intensification on existing site allocations, Option 2 – additional sites in Shepshed, Loughborough and the Leicester Urban Area, and Option 3 – Cotes (new settlement).
- 2.2. In summary, Option 1 seeks to increase capacity on existing allocations as part of the approach to meeting Leicester's unmet needs. Option 2 considers the allocation of additional sites in Shepshed, Loughborough and the Leicester Urban Area, and includes land at South West Loughborough – land south of Watermead Lane, South West Loughborough (PSH467) as a potential suitable and sustainable additional site. Option 3 notes that the Council has ruled out a 'new settlement' approach on several occasions but advises that there are continued representations in support of Cotes, and therefore this option has also been considered.
- 2.3. The Council is also aiming to increase the capacity on proposed allocations in order to address the increased housing requirement resulting from the apportionment of unmet needs (Option 1). Whilst this approach may be appropriate on some allocations, in certain circumstances where detailed master-planning as part of planning applications has identified additional capacity, we question whether increasing capacity is realistic and whether it would represent the most appropriate approach for all of the identified sites. This is particularly important given the requirement to provide 10% biodiversity net gain, as well as onsite public open space, surface water attenuation and formal sports provision, in order to adequately mitigate development. It is not simply the case that every site can accommodate an intensification of housing numbers as there may not be sufficient land to accommodate the inevitable increase in associated public open space and infrastructure, as well as landscape mitigation that may be required.
- 2.4. With regard to landscape mitigation, each site would need to be assessed on its own merits to see if it is capable of accommodating additional numbers without giving rise to any significant detrimental impacts. The blanket approach of assuming an increased yield in numbers on existing allocations to meet the unmet need from Leicester is therefore considered problematic and overly simplistic and, in some cases, not achievable when reserved matters applications come forward. The alternative of providing a new site under Option 2 to meet the additional need would provide additional benefits in terms of open space provision, ecological and landscape improvements.
- 2.5. The overall assessment discounts Option 2 largely on the basis of landscape and ecological impacts, with 'Appendix A: Appraisal of Housing Alternatives' making specific reference to the land at Watermead Lane (PSH467). The SA Addendum landscape comments for Watermead Lane (PSH467) are set out at page 40, as follows:

*"The site proposed at Loughborough (PSH467) is in a relatively sensitive location for landscape character, being on the edge of the Charnwood Forest. Though there would be potential to incorporate green infrastructure, the currently open nature of the site would be*



*permanently altered, and long range views towards the site could be negatively affected. This could lead to moderate negative effects in this location.”*

- 2.6. This assessment fails to properly consider or meaningfully engage with the detailed landscape assessment work prepared by Golby and Luck (**Appendix 1**), submitted previously as part of our evidence, and the significant opportunities presented to incorporate extensive green infrastructure as part of a more comprehensive South West Loughborough development solution as set out in the Cope Wood Vision Document by Nineteen47 (**Appendix 2**).
- 2.7. The SA Addendum at page 42 notes the proximity of PSH467 to the Beacon Hill, Hangingstone and Outwoods SSSI and in combination significant negative effects with regards to biodiversity. The assessment considers that the large scale of growth could bring potential pressures in terms of increased recreation, light and noise pollution, and temporary construction related issues. Contrary to the Council’s analysis, the assessment notes that it is expected that built development areas would not encroach close to the SSSI and advises that the Illustrative Masterplan submitted shows this is the case and notes the enhanced recreation areas proposed.
- 2.8. This assessment is wholly disputed, and fails to acknowledge any of the detailed work which has been undertaken to demonstrate that such an allocation would ensure that the development of the site would not result in detrimental impacts, through a combination of separation distance from the SSSI and the provision of substantial areas of open space, which deliver substantial biodiversity gains and other benefits including biodiversity landbank opportunities with wider benefits for other allocations. The Preliminary Ecological Appraisal Report (PEAR) by Ramm Sanderson (**Appendix 3**) confirms that buffering and ample walking routes are proposed around the development site, together with adjacent landscaping, to mitigate the effects of visitor pressure on the SSSI. The Illustrative Masterplan (**Appendix 4**) includes a 25m wide area of new mixed woodland planting along the SSSI boundary, and beyond this a buffer of locally native, gorse & broom dominated scrub will provide a further buffer, and help to guide and restrict visitor movements to established paths.
- 2.9. The site extends to approximately 74ha, with only approximately 16ha of the site proposed for residential development, which can accommodate in the region of 600 dwellings. The remainder of the site (approximately 58ha) would be reserved for various elements of green infrastructure, including significant new tree planting, wildflower meadows and a network of footpath and cycle routes, to provide significant opportunities for Biodiversity Net Gain.
- 2.10. The Vision Document (**Appendix 2**) illustrates how the development of the site is the key to unlocking a range of benefits to Loughborough, by joining up the proposed allocations as a series of Forest Communities, with a new highway, similar in character to Woodhouse Lane. In doing so, an even greater expanse of publicly accessible green space can be delivered, connecting communities and promoting movements towards the regional park on foot/bicycle. Furthermore, the site would provide opportunities for Biodiversity Net Gain both for the proposed development and to assist other developments in the area in achieving net gain through the provision of a Biodiversity Bank.
- 2.11. The SA Addendum’s conclusions in relation to the potential landscape and biodiversity impacts of the proposals at Watermead Lane, South West Loughborough, also are therefore not only wrong, but are also inconsistent with the conclusions set out within the Council’s pre-application advice response on these matters.



- 2.12. Pegasus Group submitted a Pre-Application Advice Request (**Appendix 5**) in relation to land interests at Watermead Lane, South West Loughborough in January 2023. The submission included the appended Vision Document, Illustrative Masterplan and Preliminary Ecological Appraisal Report, as well as a Highways Statement by ADC Infrastructure.
- 2.13. A Pre-Application Advice Meeting was held with Charnwood Borough Council on 24<sup>th</sup> April 2023. The Pre-Application Advice Response was received from Charnwood Borough Council on 7<sup>th</sup> June 2023 (**Appendix 6**), following a period of consultation with internal consultees. PDF page 8 sets out the response in terms of landscape, and whilst the response advises that the emerging Local Plan position and Landscape Sensitivity Study 2021 would weigh against the proposal and pose a risk to the success of an application, the response advises that:
- “However, it is also considered that the Masterplan document at its current stage of development demonstrates effectively that development could be contained within the lower parts of the site and its size is such that it could accommodate the mitigation referred to in the Sensitivity Assessments in the landscape study. Therefore, whilst not supported by the current policy framework, it is considered that the masterplan provides sufficient detail to allow for consideration in future development plan analysis.”*
- 2.14. The Sustainability Appraisal Addendum concludes at paragraph 5.14 that:
- “ultimately, there is no ‘best’ or ‘worst’ option, as this depends on the weight that the Council gives to different aspects of sustainability, the extent to which the Council think that issues can be resolved through mitigation and enhancement, and whether there are other issues to consider such as market factors.”*
- 2.15. Paragraph 5.15 also confirms that:
- “on the face of it though, the sustainability appraisal would suggest that Option 1 performs in a balanced manner and is most favourable in terms of avoiding significant negative effects and securing positive effects”.*
- 2.16. The consideration and subsequent dismissal of Option 2 altogether as a reasonable alternative is fundamentally flawed. The assessment has not sufficiently considered the benefits that would be secured by the additional allocation of PSH467 as part of a deliverable, comprehensive development solution for South West Loughborough, which is in the single ownership of a local Charity (who donated the Outwoods to the Council many years ago). Instead, the SA places significant weight on how development *could* lead to moderate negative effects. The inclusion of the land at Watermead Lane, South West Loughborough as a reasonable alternative is welcomed and the results highlight the strong sustainability and environmental/BNG credentials of the site. The Council’s positive pre-application advice response acknowledges that the careful masterplanning of the site can accommodate the mitigation referred to in the Landscape Sensitivity Study through containing development within the lower parts of the site. The dismissal of Option 2 and PSH467 as an allocation is not adequately justified, as the evidence submitted on behalf of the developer/landowner has not been properly considered.





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

- 3.1. The Additional Housing Supply Technical Note (September 2023) updates the previous Technical Note and includes an explanatory note and tracked changes to clearly set out the changes that have been made. The document demonstrates the effects of updating the housing land supply position to 31<sup>st</sup> March 2023 (the previous version was the position at 31<sup>st</sup> March 2022).
- 3.2. Appendix A provides a table that sets out the revised capacity of various housing allocations, comparing the Submission Version Local Plan capacity to the new revised capacity through increasing densities (Table 1), through expanding housing parcels within allocations (Table 2), and through expanding allocation boundaries (Table 3). Table 4 confirms the other allocations whereby increased capacity has been considered but has been discounted.
- 3.3. Appendix C sets out an Updated Local Plan Table 5, which summarises the additional supply from the existing allocations. This results in an additional 443 dwellings across the plan period through the intensification of existing allocations.
- 3.4. As set out at Section 2 there is a fine balance between providing Biodiversity Net Gain on sites and delivering housing numbers. An example of this is Site HA60 Melton Road, East Goscote. Outline planning permission was granted for 270 dwellings (application reference number: P/20/2382/2), significantly more dwellings than the original allocation of 223 dwellings. A reserved matters application has subsequently been submitted by Redrow Homes (application reference number: P/22/2279/2) which provides for 258 dwellings, 12 fewer homes than the outline application following the completion of detailed masterplanning work. It is important to note that an application to discharge Condition 25 – Ecological Mitigation Strategy (application reference number: P/23/1318/2) of the outline consent confirm that whilst a net gain can be achieved this is a small net gain of 0.56%. This application demonstrates the delicate balance between delivering increased housing numbers on site and the delivery of Biodiversity Net Gain on site.
- 3.5. Furthermore, the intensification of some proposed sites, for example Site HA35 Land North of Hallamford Road and West of Shepshed, where there are significant environmental constraints such as flood risk and site topography, may mean that achieving a higher number of dwellings might not be deliverable.

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

### **Five Year Supply**

- 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 at 1<sup>st</sup> April 2023 the document claims that there is a 5.16 year supply (224 dwellings surplus over requirement). The detailed trajectory claims a 5.74 year supply at 2024/25 and 6 year supply at 2025/26.
- 4.3. The housing trajectory includes a 63 dwellings per year windfall allowance from 2026/27. This projection is based on historic completions in a scenario prior to the adoption of the Local Plan where there has been no 5 year supply and thus the likelihood of speculative applications being successful and contributing to delivery is far greater – to simply project this rate forwards is therefore misconceived. Following the adoption of the Local Plan, and therefore the confirmation of a 5 year supply, the submission of speculative planning applications is likely to be greatly reduced. It is therefore considered that projecting this figure forward is grossly over-optimistic.
- 4.4. Whilst a 5.16 year supply (as claimed) upon adoption of the Local Plan is only at best marginal, the updated housing trajectory does demonstrate an increase in supply in subsequent years.

### **Plan Period**

- 4.5. The updated housing trajectory covers a plan period to 2037. The Local Plan is now not due to be adopted until 2024, which would mean that the plan will fail to cover the minimum 15 year period from adoption as required by paragraph 22 of the NPPF. If the plan is adopted before 31<sup>st</sup> March 2024 the plan period should be extended to 2039, which is an additional two years. If the plan is adopted after 31<sup>st</sup> March 2024, consideration should be given to extending the plan period to 2040.
- 4.6. An appropriate plan period would further increase the housing requirement by an additional two years and this matter does not appear to have been resolved through the Examination hearings or the Council's current consultation.
- 4.7. Addressing this additional need further highlights the importance of considering new allocations (Option 2), rather than solely focusing on intensifying existing sites.



## 5. Draft Transport Strategy Document

- 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 testing the cumulative transport impact of the proposed growth within Charnwood, and conclude that three strategies are required, focussed on the three distinctive geographies in the Soar Valley Area, Loughborough/Shepshed Area and the North of Leicester Area.
- 5.2. There are three elements to the proposed package; enhanced sustainable transport measures, improvements to the Major Road Network, and improvements to the Strategic Road Network. The report then goes on to estimate costs for each of the three areas for each of these elements, and LCC then propose a 'contribution strategy', effectively a roof tax, whereby each dwelling in its strategy area contributes proportionately to the total costs identified. The total anticipated cost is £183m. The legal basis for such a strategy is however dubious and has not been properly demonstrated (see *Aberdeen City v Elsick* [2017] UKSC 66 – **Appendix 7**). The Community Infrastructure Levy was introduced because it is not lawful to introduce a generalised tariff based approach to raise money from development to fund infrastructure in the manner contended for.
- 5.3. The cost allocation is counterintuitive, in that the most sustainable location to develop (North of Leicester) will attract the greatest contribution, and the least sustainable, where reliance on the car is greatest, is cheapest (Soar Valley). That is because there is greater opportunity to enable walking and cycling in the more sustainable areas, and hence greater costs associated with the provisions. The £86m for walking and cycling measures in North of Leicester would be 47% of the mitigation costs for the whole Borough.
- 5.4. Section 5 of the document notes that based on the County Council's experience of similar strategies and schemes, it is possible that the complete mitigation package will cost at least £180m, and given current market conditions and based on 2022 prices, as acknowledged by the County Council, could rise over the life of the Plan. The report notes that funding to deliver the strategy will come from two key sources; public funding and private funding (i.e. developer contributions). Section 6 sets out the next steps, advising of the programme to consult on the actual draft strategy documents for further public consultation ahead of securing their approval by the County Council's Cabinet in summer 2024, and confirming that the strategies will need to be reviewed and assessed in light of, for example, evidence from initial delivery and changes in Government policy. Paragraph 6.7 confirms that the County Council has sought to reach agreement with Charnwood Borough Council on the approach to securing developer contributions towards the Strategies' delivery, pending the Local Plan's adoption. As noted above the legality of this approach is questioned and it would be useful to understand whether the Council has sought legal advice on that point.
- 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. In order 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. We question such an approach which would seem to be at odds with NPPF paragraph 34 which requires:

***"Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other***



*infrastructure (such as that needed for education, health, **transport**, flood and water management, green and digital infrastructure)."* (emphasis added)

- 5.6. It would seem that the approach of the County is that it would be implemented through an update to Leicestershire County Council's Planning Obligations Policy (July 2019) document, however, by the time this process is complete many of the allocations will have already come forward and have secured planning permission under the current policy context in terms of obligations. This must not place a greater burden on future planning applications (including allocations) to meet the shortfall in funding, which will not be viable, resulting in the potential non-delivery of sites, with severe implications arising therefore to the proposed housing trajectory and associated impacts on the 5 year housing land supply position.
- 5.7. It is important to note that developers will have already signed up promotion/option agreements with landowners that cover significant 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 taken into account 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. It is unrealistic to assume that existing commercial land agreements between landowner/developer can be easily re-negotiated; even if that proved possible the timescales for variations to be negotiated and concluded would be uncertain thereby impacting directly on housing delivery.
- 5.8. It is therefore respectfully suggested that the Council needs to allocate additional sites to both contribute towards the necessary infrastructure, and sufficient housing supply and affordable housing delivery across the plan period. And that its currently suggested approach needs to be urgently revisited.



## 6. Updated Viability Work

- 6.1. The Consolidated Viability Report by Aspinall Verdi (August 2023) has updated and consolidated previous viability assessments prepared for the Charnwood Local Plan. The report concludes at paragraph 9.1 that *“having regard to the proposed changes to the S106 contributions approach... the plan is viable”*. Paragraph 9.4 however confirms that *“further work is required to monitor and manage the infrastructure requirements (particularly for education and off-site transport costs) depending upon the business case for additional public sector funding. There is clearly a funding gap between the amounts which are required to deliver the plan and the amounts that can reasonably sought from developers through Section 106 contributions alone. This will come as no surprise because Leicestershire County Council have always recognised (see paragraph 6.32) that alternative funding would be required from a range of Government sources to fill this funding gap.”*
- 6.2. The report confirms that developers cannot afford to 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. Table 9.2 sets out the indicative maximum amounts of S106 funding, and for the total Borough this is £200m.
- 6.3. A report to Leicestershire County Council’s (LCC) Cabinet meeting on 24<sup>th</sup> October 2023 sets out the £140m current estimate for education requirements and the £183m current estimate for highways and transport requirements, totalling £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.
- 6.4. Therefore, there is a minimum funding gap of at least £120m. It is important to note that approximately 16% (1,500/9,300 LCC Cabinet report figure) of Local Plan allocations already have planning permission and therefore will not be contributing to the Local Plan infrastructure costs required. Again, this must not add an additional financial burden to the remaining Local Plan allocations, which will continue to increase with the approval of further planning applications prior to the implementation of any future revised policy to accord with NPPF and/or SPD to secure additional Section 106 contributions towards infrastructure.
- 6.5. Whilst the report at Table 6.7 includes residential cost assumptions in relation to ‘net biodiversity’ for brownfield/greenfield sites on a per dwelling basis, it is unclear whether this cost assumption would also cover the costs of providing Biodiversity Net Gain offsite if provision cannot be made onsite.
- 6.6. Approximately 16% of Local Plan allocations (approximately 1,500 dwellings) already have outline planning permission and have not contributed to the strategic highway infrastructure. The allocation of additional sites through the Local Plan to compensate for this further shortfall in contributions would help significantly with ensuring that the already large funding gap is not even greater. The evidence leaves significant gaps in the funding needed to secure



the necessary infrastructure and therefore choices will need to be made about what development can contribute alongside the need to provide affordable housing and Biodiversity Net Gain on or offsite.



## 7. The Alternative

- 7.1. The preferred approach would be to release (allocate) a site such as that promoted by our clients whose infrastructure requirements have been properly assessed and which is demonstrably deliverable and viable by the Council through the Local Plan process and a thorough pre-application submission.
- 7.2. Accordingly, the principle of residential development on the site, as proposed, is acknowledged by the Borough Council. There is no technical or other constraint to prevent the early delivery of new homes on this site in a sustainable location that will deliver significant environmental, BNG and landscape benefits and high-quality design of all dwellings by two well respected regional housebuilders.



## **Appendix 1 – Landscape Assessment Work by Golby & Luck**



# Land off Watermead Lane, Loughborough (PSH467)

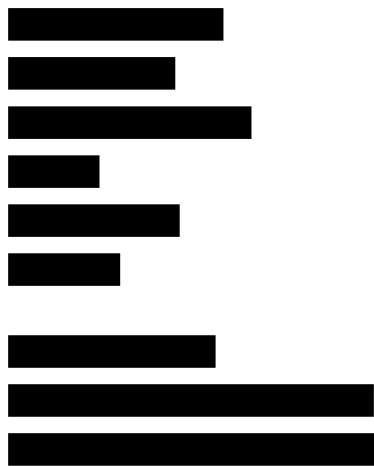
Landscape Note

Clients: Davidsons Developments, Redrow Homes, and The Jean Cope Charity

August 2021



|                 |            |               |                             |
|-----------------|------------|---------------|-----------------------------|
| Report Issue 1: | 17/08/2021 | Status: Draft | Author: Jonathan Golby CMLI |
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| 3 | LANDSCAPE SENSITIVITY   | 4 |
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## 1 INTRODUCTION

- 1.1 The following note has been prepared by Golby + Luck landscape architects following instruction by our clients Davidsons Developments, Redrow Homes, and The Jean Cope Trust, in respect of the land at Watermead Lane, Loughborough (PSH467).
- 1.2 This note has been prepared following the rejection of the promotion in the recently published Sustainability Appraisal and the Development Strategy and Site Selection Topic Paper July 2021 (the Topic Paper), published by Charnwood Borough Council (the Local Authority). The Topic Paper explains its reason for rejection at page 31 stating landscape impact and the supposed greater difficulty of mitigating that impact compared to other sites at the edge of Loughborough.
- 1.3 In reaching this decision the Local Authority has prepared two new studies that are referenced in this note:
- LUC - Charnwood Landscape Capacity and Sensitivity Assessment Addendum – Charnwood Borough Council – February 2021 (the LUC 2021 Assessment); and
  - Charnwood Borough Council – Charnwood Landscape Sensitivity Assessment – July 2021 (the Charnwood 2021 Assessment).
- 1.4 These form part of a series of landscape sensitivity and capacity assessments that also include:
- Charnwood Borough Council – Landscape Character Assessment – July 2012 (the Charnwood 2012 Assessment); and
  - LUC – Landscape Sensitivity Assessment of SHLAA Sites for Charnwood Borough Council – March 2019 (the LUC 2019 Assessment).
- 1.5 This note should be read in conjunction with the Pegasus Group Representations in respect of the Regulation 19 Consultation on the Charnwood Local Plan – August 2021, and the Nineteen47 revised masterplan.



## 2 DEVELOPMENT CONTEXT

2.1 The promotion of this land follows initial consideration of development options by the Jean Cope Charity for south-west Loughborough. This work identified the context of physical constraints to the further expansion of Loughborough to the north, south, east, and west, leaving the only viable option for major growth to the south-west of the settlement. This work also considered the constraints and opportunities to development at the south-west edge of Loughborough with the principal constraint being identified as the relationship between the settlement and the Charnwood Forest.

2.2 This constraint was also considered to present obvious opportunities for a considered and planned expansion of the Town in a manner that would secure development reflecting the setting of the Charnwood Forest in combination with major new green infrastructure that would:

- Define the gateway to the Charnwood Forest from Loughborough;
- Improve public access and provide a significant increase in green space provision;
- Provide extensive landscape enhancement measures; and
- Secure significant gains in biodiversity.

2.3 These measures are entirely consistent with the objectives of draft Policy EV4: Charnwood Forest and the Nation Forest that seeks to support development that:

- *“supports the woodland economy and rural diversification, including sustainable smallscale tourism and recreation opportunities which protect, and enhance the distinctive landscape character of the Charnwood Forest;*
- *protects and enhances the biodiversity of the Charnwood Forest Regional Park, consistent with the aims of the National Character Area profile of Charnwood;*
- *provides tree planting within the Charnwood Forest Regional Park, in accordance with the National Forest Planting Guidelines;*
- *provides an improved network of public rights of way within Charnwood Forest and between nearby settlements including the establishment of a network of off-road links for walkers, cyclists and equestrians; and*
- *improves accessibility for people with mobility issues including improved footpaths and parking for people with disabilities.”*



- 2.4 It is accepted that all development options to the south-west of Loughborough are sensitive in landscape terms due to the relationship between the Town and the Forest edge, but it is unclear from the recent studies prepared by the Local Authority why the proposal for land to the south of Watermead Lane is considered to be of increased sensitivity when compared to other options considered for allocation, or why this proposal is said to be less effective in securing the aims and objectives of draft Policy EV4.
- 2.5 When considered against other options at the south-west edge of the settlement (draft allocations HA16 and HA17) all options for development share an immediate relationship with the landscape that transitions between the Town and the edge of the Charnwood Forest. A relationship that is visible and can be experienced from the network of public rights of way that extend between the settlement and Forest edge. Likewise, all options are openly visible from the elevated Forest edge, viewed in the wider panorama of Loughborough and the wider valley setting of the River Soar.
- 2.6 A key issue that does not appear to have been considered in the recent reports is the effect of these promotions on the setting of Beacon Hill Country Park that alongside Bradgate Country Park form the most valued landscapes within Charnwood Forest. This issue is considered in further detail in the following section of this note.
- 2.7 The expansion of Loughborough to the south-west in fact provides an opportunity to secure a gateway to the Charnwood Forest of a quality reflecting the asset. However, the only way of achieving this objective is through a strategic approach to development with a weighted commitment to the delivery of green infrastructure in tandem with the required leisure and tourism facility. The 'field-by-field' approach to development currently set out in the draft Local Plan is highly unlikely to achieve this.



### 3 LANDSCAPE SENSITIVITY

- 3.1 It is accepted that the sensitivity of the landscape between the existing south-west edge of Loughborough and the edge of the Charnwood Forest increases with distance and elevation from the settlement edge.
- 3.2 It is also accepted that the land to the immediate south of Nanpantan Road is considered sensitive due to the view from the public rights of way and settlement edge towards Jubilee Wood and Out Woods. Although it is not accepted that the land in its own right is of any greater sensitivity than any other intensively farmed arable field at the immediate urban edge. This is acknowledged in the LUC 2019 Assessment on page 74.
- 3.3 In terms of sensitivity and capacity assessments there are a number of studies which consider this landscape that include the 2012 assessment by the Local Authority forming part of their Landscape Character Assessment, the 2019 LUC Assessment, the 2021 LUC Assessment, and finally the Charnwood 2021 Assessment.
- 3.4 The Charnwood 2012 Assessment assesses two land parcels identified as Zones 2 and 3 on page 206 of the assessment. Zone 2 extends across the more elevated slopes at the edge of the Charnwood Forest (broadly correlating with the 85m contour) with Zone 3 extending across the remaining land up to the settlement edge. In this assessment Zone 2 is assessed as having a low capacity for development (assumed high sensitivity), and Zone 3 is assessment as having a medium to low capacity for development (assumed medium to high sensitivity). It is this study that draws the distinction in development capacity/sensitivity between the more elevated land above the 85m contour and lower land below the contour that extends to the settlement edge.
- 3.5 The LUC 2019 Assessment assesses the entirety of Zones 2 and 3 as a whole (PSH106) concluding that it is of moderate to high landscape sensitivity. It continues by assessing the eastern parts of PSH106 as being of moderate landscape sensitivity, and western parts on elevated sloping land as high sensitivity. Unhelpfully, there is no plan to define the boundary between the eastern and western parts of PSH106 unlike the Charnwood 2012 Assessment.
- 3.6 The LUC 2021 Assessment identifies part of the land under this promotion as PSH467, adjoining an assessment parcel to the south (PSH21) that extends across draft allocation H16. In this assessment PSH467 is assessed as being of moderate to high landscape sensitivity, and PSH21 moderate landscape sensitivity.
- 3.7 The assessment tables for each parcel are very similar. PSH467 is assessed as being slightly more sensitive in terms of its physical character with the only difference identified as its



slightly increased elevation. Beyond this both assessments remain the same up to the consideration of 'views and visual character including skylines'. PSH21 is assessed as moderate sensitivity, and PSH467 is assessed as moderate to high sensitivity. It is clear from both summaries that the land parcels are visible from the respective settlement edges and associated public rights of way. Both are also visible from the more elevated edges of the Forest. However, what this assessment inexplicably fails to acknowledge is the contribution that PSH21 makes to the setting of views from Beacon Hill Country Park; see View 14 in the Golby + Luck Landscape and Visual Baseline Report (GL0978 12). Beacon Hill comprises an elevated granite outcrop providing some of the most elevated and extensive views in the Borough. The Country Park is highly valued, providing open public access with views looking down across Loughborough and into the valley setting of the River Soar. In views from the Country Park PSH21 is openly visible forming part of the open farmland setting sweeping down from the Forest up to the edge of Loughborough. From this location PSH467 is not visible.

- 3.8 An analysis of View 14 has been provided in this note, illustrating the likely visibility of draft allocations H15, H16 and H17 from the summit of Beacon Hill. In contrast the land to the south of Watermead Lane is substantially screened by a combination of intervening landform and vegetation cover; see GL0978 13.
- 3.9 The final assessment criteria considered perceptual and experiential qualities. PSH21 is assessed as moderate sensitivity and PSH467 as moderate to high. It is unclear why a different assessment has been made for these parcels as the same issues are identified for each.
- 3.10 These inconsistencies are key as this assessment resulted in PSH467 being taken forward into the Charnwood 2021 Assessment.
- 3.11 The Charnwood 2021 Assessment relies heavily on the LUC 2021 Assessment, the inaccuracies, and inconsistencies of which have been set out. The Charnwood 2021 Assessment draws out two new issues that include:
- The 'standard' development density of 37.5 dwellings per hectare; and
  - Setting issues from the Charnwood Forest Edge, the wider urban edge, and Nanpantan Road.
- 3.12 In terms of the first point regarding density, to apply an average density in such a crude manner is not indicative of the quality of the proposal. All developments being promoted in the plan will be required to reach an average density, in part being a requirement to





meet the Housing and Economic Development Needs Assessment (HEDNA) mix for new housing developments.

- 3.13 The reality is that any development will deliver a varied pattern of density responding to the local setting and constraints of the site. This is acknowledged by the Local Authority in the Charnwood 2021 Assessment stating:

*“Mitigation would require low density development overall with clusters of higher density with emphasis on woodland block planting, larger plot sizes accommodating trees and or copse such that high canopy trees would have sufficient space to grow without constraint.”*

- 3.14 In terms of the second point regarding setting, the Charnwood 2021 Assessment considers three key areas. In relation to the Charnwood Forest edge the assessment states:

*“Some vantages from Jubilee Woods and Outwoods area looking back towards existing built up area of Loughborough are obscured where there is a combined effect of elevated landform and mature high canopy tree lined hedgerow or small wooded areas. From this direction a case could be made to significantly enhance high canopy tree cover in the form of 15-20m wide tree belts either augmenting the existing line of hedgerow or as stand along woodland.”*

- 3.15 This is entirely consistent with the development strategy being proposed.

- 3.16 In terms of the setting of Nanpantan Road the assessment states:

*“Due to the rising nature of the landform from approximately 137m south of the SW corner of the Nanpantan Road playing fields, the residual effect of development would adversely impact the character and appearance of this valued landscape as the setting for the Outwoods as a key area of the Charnwood Forest for experiential perception and a sequence of views from Nanpantan Road, along Watermead Lane, and routes to the Outwoods.”*

- 3.17 The development vision has specifically retained the land immediately south of Nanpantan Road as open green space to protect this setting.

- 3.18 The assessment also references a series of views from Bramcote Road, Lark Rise and Laburnum Way. It is unclear why these are referenced as they are not identified as sensitive views, and clearly whatever value the Local Authority may suggest they have has not precluded their consideration as draft allocations (H16 and H17). Both are located in closer proximity to these views and will arguably have a greater effect on their setting.



- 3.19 In summary, the correct assessment of landscape sensitivity has been clearly set out in the Golby + Luck Landscape and Visual Baseline Report (see GL0978 05) that identifies PSH21 as medium landscape sensitivity, and the majority of PSH467 as medium landscape sensitivity, excluding the field to the immediate south of Nanpantan Road and the land above the 85m contour that are assessed as medium to high landscape sensitivity.
- 3.20 This level of landscape sensitivity would patently not preclude PSH467 from being considered as a draft housing allocation.



## 4 LANDSCAPE OPPORTUNITIES

4.1 As already outlined, this promotion presents the opportunity to secure major new green infrastructure with the potential to define the gateway from Loughborough into the Charnwood Forest.

4.2 In all the landscape assessment documents in the Local Authorities' evidence base the land to the south-west of Loughborough is continually referenced as the 'gateway' to the Charnwood Forest. Given this strategic relationship the absence of any defined strategy to deliver meaningful gateway development in the draft Local Plan is notable. At present the chosen strategy considers isolated development creating enclaves extending from the existing settlement edge, with little if any opportunity, or land control, to deliver meaningful and connected improvements within the landscape that extends between Loughborough and the Charnwood Forest.

4.3 The land under consideration in this promotion is distinct in this regard. It is the only development option that can secure continuous improvement in doorstep to countryside access between Loughborough and the Charnwood Forest. The nature of The Helen Jean Cope Charity means that as part of this promotion the charity intends to gift significant areas of accessible greenspace to Loughborough, building on the Charity's legacy of gifts of part of the Out Woods, followed by Jubilee Wood, which both have since become valued public assets for the town.

4.4 The following section of this note considers three key areas in response to the landscape issues raised by the Local Authority that include:

- The extent and density of the proposed development;
- The ability to secure meaningful and effective landscape mitigation; and
- The scale and nature of the landscape proposed landscape framework.

### *Extent and Density of Development*

4.5 In terms of extent, the proposed area of development is clearly identified on the amended masterplan. As already noted, development has been specifically excluded from the field to the immediate south of Nanpantan Road to protect the view from this part of the settlement edge towards the Charnwood Forest.

4.6 Towards the south-west the extent of development is proposed to be retained below the 85m contour in response to the field work completed as part of the Golby + Luck



Landscape Baseline Assessment, and the evidence set out in the various sensitivity assessments applicable to this landscape.

- 4.7 In terms of density, the proposal will adopt a varied pattern of density in response to the location and setting new housing within the site. However, the overarching principle will be maintained that with increased distance to the south and west, and increased elevation, the density of new housing will reduce. This in turn will secure a looser form of development at the more sensitive edges of the proposal, allowing for increased levels of new landscaping to permeate into around the new housing.
- 4.8 These measures comprise effective primary landscape mitigation responding to the immediate constraints of the site.
- 4.9 Further details on the density and pattern of development are provided on the revised masterplan.

#### *Landscape Mitigation*

- 4.10 The scope for landscape mitigation within the proposal is extensive. The strategy seeks to retain and enhance the existing landscape features of the site, including its tree cover, hedgerows, and watercourse.
- 4.11 In addition, the proposal will be able to secure meaningful new areas of woodland planting capable of delivering the mitigation described in the Charnwood 2021 Assessment. These planting measures will be designed to complement and reinforce the character of this landscape and secure a softer landscape edge to the settlement in views from the edge of the Charnwood Forest looking back towards Loughborough.
- 4.12 The extent of land committed to landscaping and environmental enhancement is summarised in the description of the landscape framework; and comprises a significant benefit of allocating this area of land.

#### *Landscape Framework*

- 4.13 The landscape framework seeks to deliver strategic greenspace between Loughborough and the Charnwood Forest. This framework comprises two key gateway spaces linked by a continuous network of green corridors and pocket parks running through the new housing.
- 4.14 'Forest View' will be a strategic greenspace created within the field to the south of Nanpantan Road. This space will celebrate the visual connection between Loughborough and the Charnwood Forest and define its gateway through the provision of associated leisure and recreation facilities. Access to the Forest and its associated



assets is promoted through the provision of car parks, information centres and cafés, but these are located at the assets promoting car usage to access them for most visitors. At present there is no such visitor provision at the edge of Loughborough with only the existing rights of way network providing non-vehicular access to the able-bodied.

4.15 This proposal will secure a new gateway, promoting non-vehicular and inclusive access into the Forest environment. 'Forest View' will extend to approximately 5 hectares and will include a range of leisure and tourism features including:

- Visitor/information centre with associated parking;
- Bike hire and modes of inclusive access transport;
- New play and recreation features to help meet the existing deficiency in the Nanpantan Ward; and
- Nature conservation and biodiversity enhancement through the transformation of the land from arable use to species rich meadows in tandem with the safeguarding and enhancement of the local watercourse.

4.16 'Forest View' will not only secure benefits in leisure, recreation and nature conservation, it will also provide opportunities for local employment, and importantly set the benchmark for other developments within the 'gateway' landscape between Loughborough and the Charnwood Forest.

4.17 'Forest Meadow' comprises the land under The Jean Cope Charity control extending across the upper farmed slopes leading up to the edge of Jubilee Wood and Out Woods. The meadows will extend to approximately 35 hectares of land that will be transformed from intensively managed arable farmland to species rich grassland with public access via a network of surfaced and mown pathways.

4.18 The existing boundary with Jubilee Wood and Outwoods is abrupt with arable land extending up to the fenced boundary with the adjoining woodland. In addition to the creation of new meadows the proposal will also help to secure an improved edge to the woodland with a range of transitional habitats.

4.19 'Forest Meadow' will provide a new accessible landscape, distinct from much of the wider setting of accessible woodland. The meadows will provide more open access with areas to picnic, play and relax, away from the network of pathways, combined with striking views across Loughborough.



- 4.20 'Forest View' and 'Forest Meadow' will be linked via a network of green corridors and pocket parks within the development that will extend to approximately 6 hectares. This in combination with the wider commitments to greenspace provision will secure a green infrastructure commitment of approximately 46 hectares, equating to approximately 80% of the land under promotion.
- 4.21 It is intended that this land would be identified within any allocation policy to ensure that it is safeguarded for this purpose and then delivered. This level of commitment is a material consideration and underlines the intention of this promotion to deliver a true gateway development between Loughborough and the Charnwood Forest.



View 14 analysis illustrating extent of draft housing allocation visibility from summit of Beacon Hill comparative to the land south of Watermead Way

Project  
**Land at Southwest Loughborough**

Drawing title  
**View 14 - Beacon Hill Country Park Analysis**

Client  
 Redrow Homes & Davidsons Developments Limited

Scale  
 NTS

Checked  
 SG

Date  
 19/08/2021

Number/Figure  
 GL0978 13

golby + luck   
landscape architects



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A vision for South West Loughborough  
Nanpantan Forest Suburb

Vision Addendum

Client: Redrow Homes Limited & Davidsons Developments Limited

June 2022 – Issue 2

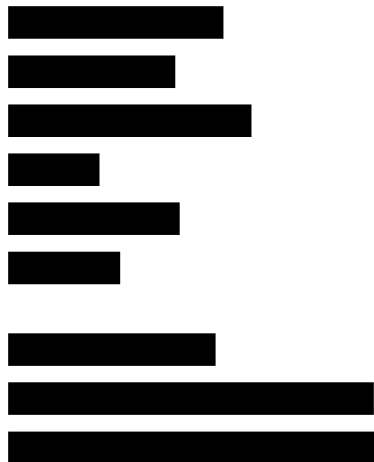


Report Issue 1: 01/06/2022      Status: Draft

Author: Jonathan Golby CMLI

Report Issue 2: 06/06/2022      Status: Final

Author: Jonathan Golby CMLI





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- Nineteen47 - n1312-005J – Masterplan
- Nineteen47 – n1312-002 – Wider Masterplan
- Nineteen47 – n1312-102 – Accessible Green Infrastructure Plan
- Nineteen47 – n1312-108 – Facilities Plan
- GL0978 13 – View 14 Beacon Hill Country Park



## 1 INTRODUCTION

- 1.1 This Vision Addendum has been prepared by Golby + Luck Landscape Architects on behalf of Redrow Homes and Davidsons Development Limited as an update to the Nanpantan Forest Suburb Vision Document – January 2020 submitted as part of the Regulation 18 consultation relevant to Land South of Nanpantan Road, South West Loughborough.
- 1.2 The addendum takes account of the changes to the vision and development parameters resulting from the iterative design and planning process adopted between the Regulation 18 and 19 consultations and includes:
- A response to the development/landscape strategy set out in the Submission Draft Local Plan relevant to South West Loughborough and the transition between the urban area and Charnwood Forest;
  - Amended figures relating to areas of open space and green infrastructure; and
  - Amended plans showing the scale/distribution of development/green infrastructure, and updated plans illustrating a wider vision for development at South West Loughborough



## 2 VISION SUMMARY

2.1 The Charnwood Forest is identified as a Regional Park and is fringed by towns and villages, as well as being accessible to the wider sub-region that includes Leicester and Nottingham. The Draft Local Plan recognises the pressure placed in the forest stating at paragraph 8.25:

***“It experiences significant pressure from visitors with much of the visitor pressure focussed on a few honey pot sites including Bradgate Park, Beacon Hill Country Park and the Outwoods all of which are in our Borough. Similarly, we will support the aims of the Landscape Partnership Scheme to provide a high-quality experience for visitors through both new or improved small-scale tourism facilities and through rural diversification. It is essential that visitor growth is managed in a way that is compatible with the special and unique character of Charnwood Forest.”***

2.2 The Draft Local Plan continues to state at paragraph 8.29:

***“Our vision recognises the importance of Charnwood Forest and it has shaped our development strategy for homes and jobs, especially around Loughborough and Shepshed.”***

2.3 The land to the south-west of Loughborough provides one of the few unconstrained opportunities for sustainable growth, with the land to the north and south constrained by separation issues, the land to the east constrained by the flood plain of the River Soar, and the land to the west at capacity having accommodated the emerging Garendon Park and Loughborough Science Park developments.

2.4 The land to the immediate south-west of Loughborough provides a strategic opportunity for growth, in combination with the delivery of the infrastructure to support the Regional Park and protect the setting of the Charnwood Forest. At present this has not been realised through the draft housing allocations that are considered to be piecemeal with limited opportunity to deliver the enhanced green infrastructure and associated facilities envisaged under draft Policy EV4.

2.5 Much of the focus of the draft strategy for growth at south-west Loughborough has sought to restrict development rather than securing a holistic environmentally led strategy that identifies potential for growth in tandem with an extensive and robust network of green



infrastructure to contain development and maintain the transition between the urban edge and the forest in perpetuity.

2.6 The initial approach to CBC for this site looked at south-west Loughborough as a whole, rather than taking the site in isolation. The consideration of the site as part of a wider strategy for a series of Forest Communities looked at a holistic, deliverable and well-conceived strategy for development that addresses the transition between Loughborough and the Charnwood Forest. It is only by promoting such a strategy that there can be certainty of the development prospects within this landscape, but more importantly certainty of the green infrastructure and Regional Park facilities that will be delivered as part of it. The danger of not adopting such a strategy is that developments are considered in isolation or piecemeal over consecutive plan periods and fail to deliver a strategic vision.

2.7 The Helen Jean Cope Charity (HJC) has been central to gifting Loughborough some of its most important forest assets such as Outwoods and Jubilee Wood. Central to this proposal is the continued gifting of land extending to approximately 42 hectares that will provide:

- Publicly accessible land at the edge of the main urban area taking pressure away from the more sensitive central areas of the forest;
- The much-needed Regional Park green and other infrastructure as identified in the Draft Local Plan;
- Enhanced and inclusive access allowing more varied access to a wider population close to their homes;
- Improved public interpretation and understanding of the forest through the delivery of a gateway hub;
- A commitment to securing biodiversity net gain in accordance with merging policy; and
- The long-term management and security of these new green public spaces as part of the legacy of the HJC.

2.8 The supporting vision for the Nanpantan Forest Communities clearly set out how this strategy could be delivered as part of a wider strategy for growth at south-west Loughborough. It considered the existing assets of the Moat Park, Sports Ground and



woods and demonstrates how these could be seamlessly linked as part of a strategic network of green infrastructure that includes the creation of Nanpantan Park, the Wood Brook Coppice and the extensive meadows at Outwoods Approach.

2.9 Of equal importance is the quality of development within each Forest Suburb. This cannot be 'anywhere' development and must represent an understandable transition between the best architectural quality of Loughborough and the vernacular of the Charnwood Forest. The vision looked at creating a transitional quality between the more formal, and dense Woodbrook Street and less dense and sylvan character of the Loughborough Holts. Such an approach is critical to the success of any strategy for development to the south-west of Loughborough and would be delivered by the two developers, Redrow Homes and Davidson Developments, specifically chosen by HJC for their acknowledged reputation for place making and delivering high-quality, well-designed housing.

2.10 The quality and strength of the vision is best reflected in its offer:

- Up to 600 new high-quality and well-designed homes;
- The commitment of the Helen Jean Cope Charity as landowner to reinvest sales proceeds back into charitable purposes in this area. This is unique to this landowner and will raise significant amounts of money that will directly benefit local projects;
- Extensive planting across 32 hectares of land;
- The creation of 42 hectares of public access land that will be managed for the people of Loughborough in perpetuity;
- Provision of a more diverse and inclusive access offer close to the urban area;
- A commitment to large-scale biodiversity net gain (42 hectares of land);
- The delivery of Regional Park facilities to meet the need identified in the Draft Local Plan that will ease pressure from the more sensitive central areas of the forest and provide access to a wider population together with a better understanding and interpretation of the asset through a gateway hub;
- Improved highway connectivity to the south-west of Loughborough; and
- Improved public transport connections.



2.11 Most importantly, the strategy provides a definitive position on the commitment to housing at south-west Loughborough as part of a considered and high-quality landscape and green space transition with the forest.





# Figures



- Key
- Application site boundary
  - Existing (retained) trees & hedgerow
  - Indicative proposed planting
  - Open space
  - Visual links
  - Potential for equipped play/LEAP
  - Forest Meadows
  - Indicative surface water attenuation basin
  - Indicative development cell
  - Housing allocation boundary
  - Existing public footpath
  - Proposed footpath links

Site allocated for residential development [HA17] (land owned by Loughborough University)

Proposed Cemetery Site

Site allocated for residential development [HA16]

Jubilee Woodland (outside SSSI)

SSSI Out Woods

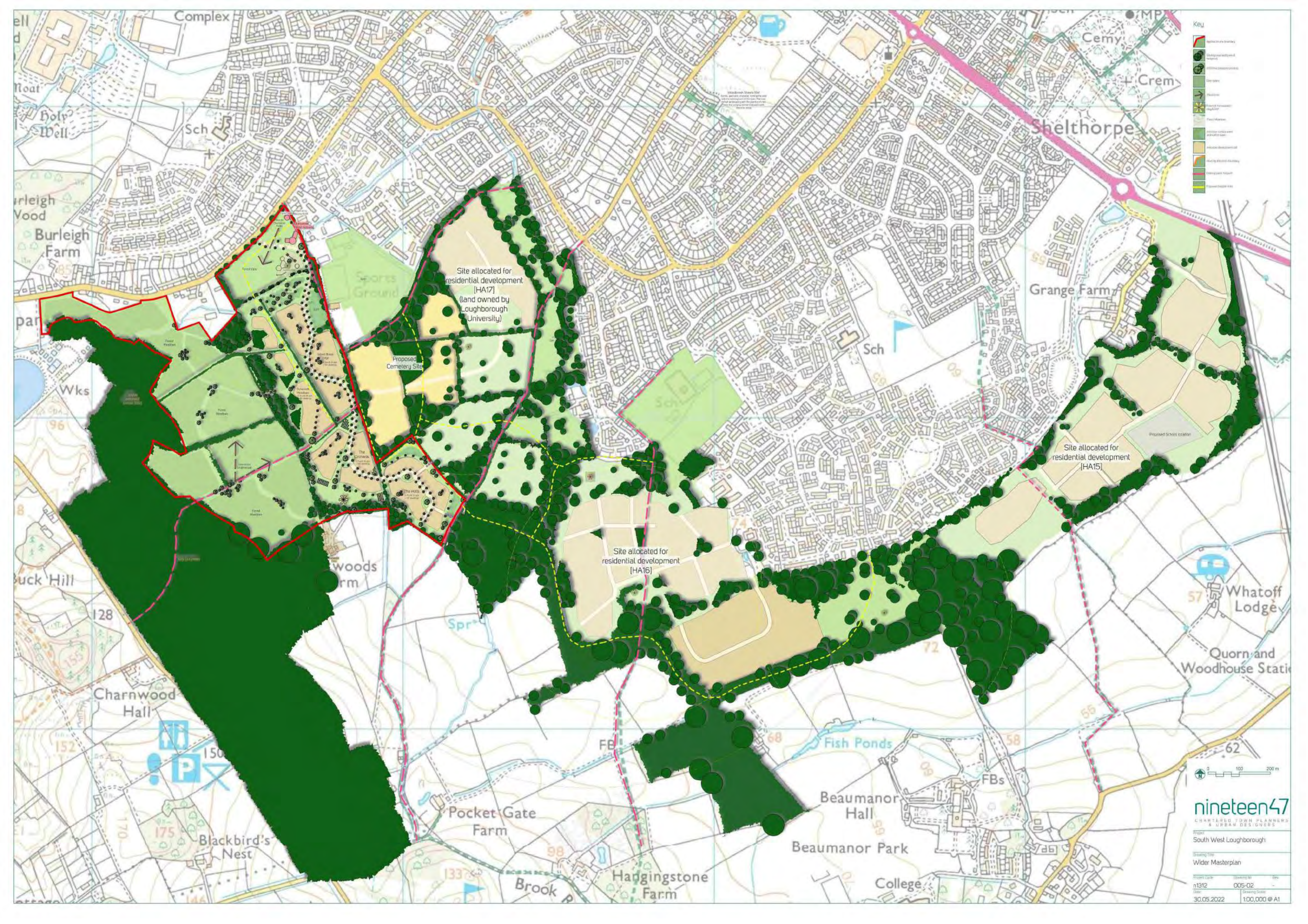
Wood Brook Edge  
4.3ha @ 35 dph  
= 151 dwellings

Outwoods Meadows  
3.4ha @ 25 dph  
= 85 dwellings

The Orchards  
3.7ha @ 35 dph  
= 130 dwellings

The Holts  
3.7ha @ 37 dph  
= 137 dwellings







Key

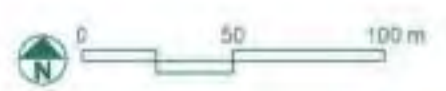
- Application site boundary
- Public open space

Site allocated for residential development [HA17] (land owned by Loughborough University)

Proposed Cemetery Site

Jubilee Woodland (outside SSSI)

SSSI Out Woods

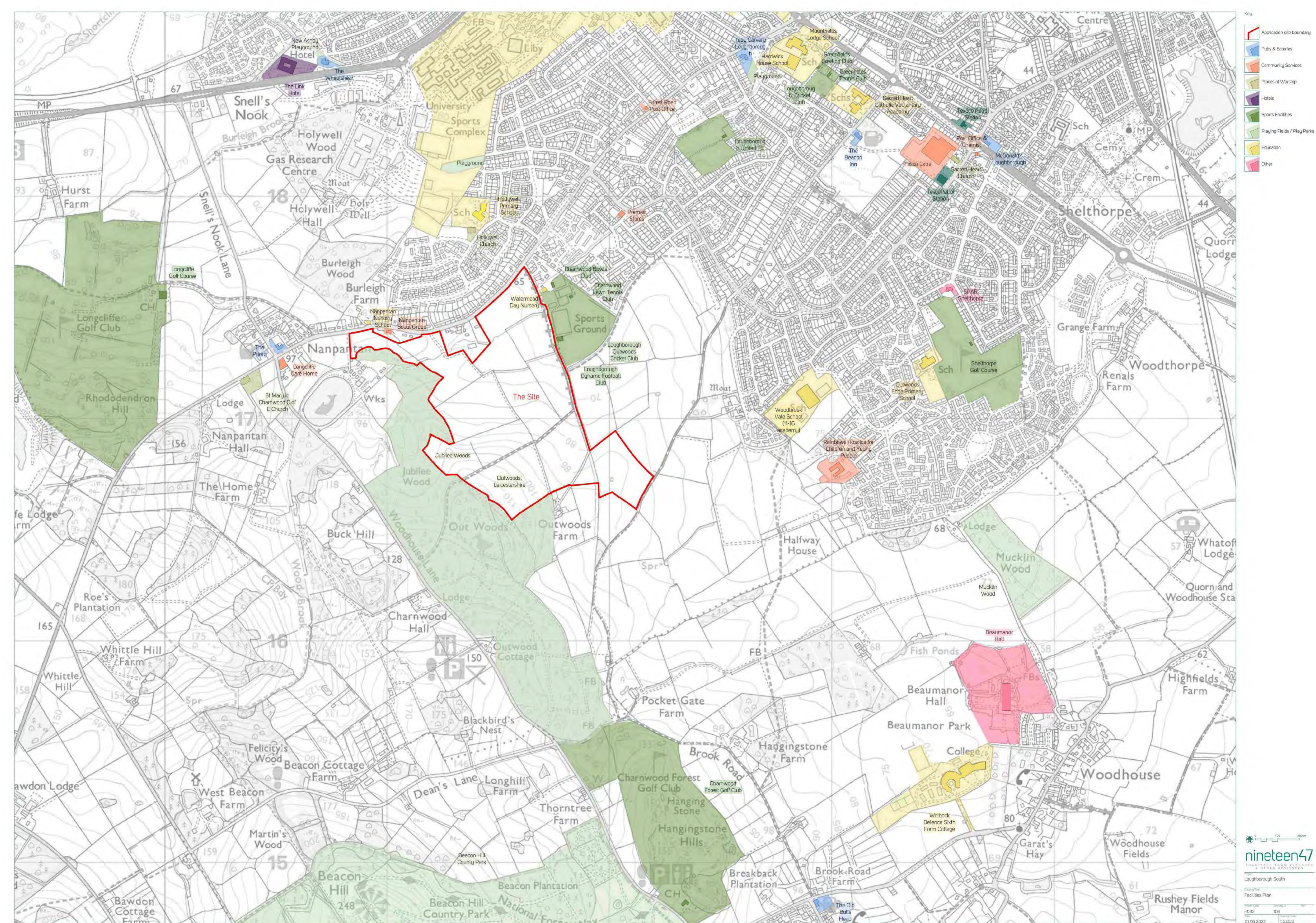


**nineteen47**  
 CHARTERED TOWN PLANNERS  
 & URBAN DESIGNERS

Project: Loughborough South

Drawing Title: Accessible Green Infrastructure

|              |               |      |
|--------------|---------------|------|
| Project Code | Drawing No.   | Rev. |
| n1312        | 102           | -    |
| Date         | Drawing Scale |      |
| 01.06.2022   | 1:2,500 @ A1  |      |



- Key
- ▬ Application site boundary
  - Pubs & Eateries
  - Community Services
  - Places of Worship
  - Hotels
  - Sports Facilities
  - Playing Fields / Play Parks
  - Education
  - Other



View 14 analysis illustrating extent of draft housing allocation visibility from summit of Beacon Hill comparative to the land south of Watermead Way

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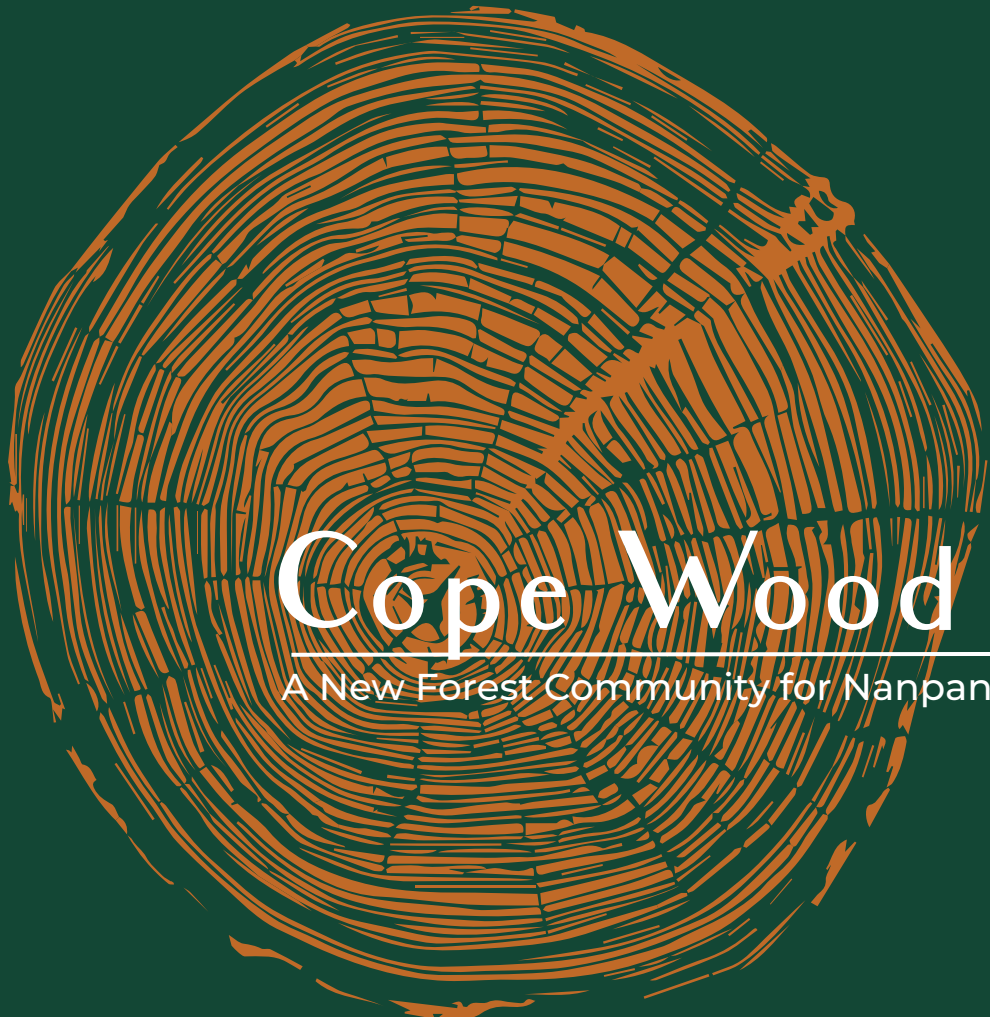
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landscape architects





## **Appendix 2 – Cope Wood Vision Document by Nineteen47**





# Cope Wood

A New Forest Community for Nanpantan



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Vision Document  
November 2022



*A Vision for the South West  
Loughborough Allocations*



*Creation of a Loughborough  
Gateway to the Regional Park*



*Biodiversity Net Gain  
and a Biodiversity Bank*



*Creating a Forest  
Community*



*Investing in  
Loughborough*



*Deliverability*





# Contents

Section 1: Foreword

Section 2: The 6 Key Principles

Section 3: The Masterplan

Section 4: Summary



# The Vision

Cope Wood will deliver sensitively designed high quality new housing within but respecting the character and appearance of the forest setting, securing a seamless transition between the town and countryside and include extensive networks of green infrastructure providing doorstep to countryside access and achieving a net gain in biodiversity and a biodiversity bank for the wider area.

The protection of the Forest is central to our vision shaping the scale, character and appearance of this exciting development opportunity. The proposal will integrate the Local Plan proposed allocations at south west Loughborough, creating a comprehensive and cohesive strategy for south west Loughborough and will importantly secure a gateway hub between the Town and the Forest, delivering on the objective to create a 'Regional Park'. It should be remembered that Outwoods was donated to the Council and the Charity see it's vision for a Regional Park in this location being fulfilled through these proposals for the benefit and enjoyment of all who come to the Charnwood Forest.





# Section 1 Foreword

Redrow Homes and Davidsons Developments are proud to be working with the Helen Jean Cope Charity, the landowner, in the delivery of a truly unique development opportunity in Loughborough. This Vision Document for *Cope Wood - A New Forest Community for Nanpantan* has been prepared as an update to the document prepared in January 2020 which outlined the exceptional opportunity presented by the site to deliver new housing, a range of tangible benefits to the natural environment and direct investment into the Town through the Charity.













This document will illustrate that the case for allocating the site is now even stronger given:

- the policy objective to expand the regional park;
- the scope to achieve a net gain in biodiversity and create a biodiversity bank for the wider area; and,
- how the site represents the 'missing' and most important 'piece of the jigsaw', in the context of other proposed allocations in the Policy EV4 of emerging Local Plan.

This document will illustrate that the site is a suitable and sustainable development option that should be granted planning permission to help address the chronic housing land supply shortfall. As well as delivering much needed housing in a highly sustainable location, the proposals support the emerging Local Plan's policy objective to expand the regional park and offers the scope to achieve net gain in biodiversity along with a Biodiversity Bank for use by other developments in the Loughborough area

The site holds the key to unlocking a publicly accessible regional park, a resource for all the allocated sites to deliver a biodiversity net gain and transport links which can only be connected through the site onto Nanpantan Road and then to the M1 rather than navigating through side streets and suburban rat runs. Without Cope Wood, none of these significant benefits can be realised.

## Key Benefits:-

|  |   |   |   |
|--|---|---|---|
|    | <p>Land value of up to 600 new homes invested on local projects</p>                                       |    | <p>Creation of 58 hectares of publicly accessible green space</p>   |
|    | <p>The expansion of a Regional Park through a Loughborough Gateway in accordance with Policy EV4</p>      |    | <p>Provision of new cycle routes</p>  |
|    | <p>Creation of new Charnwood Forest Gateway Hub</p>   |    | <p>Approximately 80% of the total site committed to Green Infrastructure.</p>   |
|    | <p>A net gain in biodiversity and a biodiversity bank for the wider area</p>                              |    | <p>A variety of equipped timber children's play and facilities play throughout the scheme, taking inspiration from the National Forest.</p> |
|  | <p>New wildflower meadow planting, returning 46ha of land from arable fields, enhancing biodiversity;</p> |  | <p>Potential to create a logical and feasible extension of 4 existing bus services through the site;</p>                                    |
|  | <p>Significant new tree planting across 42 hectares of land on the slopes up to Outwoods;</p>             |  | <p>Up to 600 high quality new homes to be delivered with a unique, National Forest identity.</p>  |



## What is needed?

### *Planned Growth for South West Loughborough*

Given the constrained nature of the land to the north, south and east of Loughborough where the floodplain of the River Soar and separate settlement identity restrict the further v of the Town, and the commitment to development to the west in the form of Garedon Park and the Loughborough Science Park, this leaves the planned development to the south-west as the only unconstrained option for growth. This option has historically been discarded due to the perceived difficulty of expanding the urban area while protecting the setting of the Forest and understanding how development could be brought forward in a contained and controlled manner that would set a permanent edge to the Town.

This proposal begins with the consideration of the sensitive relationship between the Town and Forest and provides a robust and permanent landscape framework to contain and control development within it. The adoption of a landscape led approach to development has the potential to:

- Safeguard the setting of the Forest;
- Secure a permanent and managed transition between the urban area and the Forest;
- Provide continuous doorstep to countryside access between the urban area and Forest through the delivery of a significant piece of public green infrastructure;
- Deliver the Loughborough gateway to the Forest with associated community level infrastructure; and
- Deliver a major biodiversity land bank capable of servicing development offsetting requirements across the Borough.

This planned approach to development at south-west Loughborough is the only way to sensibly safeguard the setting of the Forest in perpetuity whilst delivering the vision for the Regional Park.



## Section 2

# The 6 Key Principles



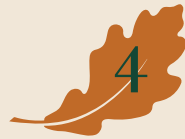
A Vision for South West Loughborough Allocations



Creation of a Loughborough Gateway to the Regional Park



A Biodiversity Bank for Loughborough



Investment in Loughborough



A Commitment to Creating a Sense of Place



Deliverability

# 1 A Vision for South West Loughborough Allocations



An assessment of the character of the edges around south west Loughborough illustrates the historical approach to development which was inward looking and piecemeal. A greater vision is required which moves from a protectionist approach to a development strategy which focuses on enhancement of the local area.

Our 'landscape first' approach to south west Loughborough considered how the forest could be enhanced and extended to create a high quality and permanent edge to the settlement which would never be breached due to the value and quality of the natural environment created. This landscape led approach then informed the extent of land available for development, allowing the creation of a permanent, lasting edge to Loughborough which is outward looking and integrates with the Forest.

This approach is supported by the Draft Local Plan which states at paragraph 8.29:



*Our vision recognises the importance of Charnwood Forest and has shaped our development strategy for homes and jobs, especially around Loughborough and Shepshed.*

However, much of the focus of the draft strategy for growth at south-west Loughborough has not been consistent with this aspiration and sought to restrict development rather than securing a holistic environmentally led strategy that identifies potential for growth in tandem with an extensive and robust network of green infrastructure to contain development and maintain the transition between the urban edge and the forest in perpetuity.

The initial approach to CBC for this site looked at south-west Loughborough as a whole, rather than taking the site in isolation. The consideration of the site as part of a wider strategy for a series of Forest Communities looked at a holistic, deliverable and well-conceived strategy for development that addresses the transition between Loughborough and the Charnwood Forest.

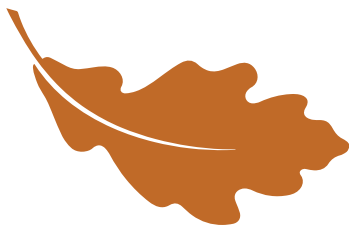
It is only by promoting such a strategy that there can be certainty of the development prospects within this landscape, but more importantly certainty of the green infrastructure and Regional Park facilities that will be delivered as part of it. The danger of not adopting such a strategy is twofold. Firstly, if developments are considered in isolation or piecemeal over consecutive plan periods, they will fail to deliver a strategic vision. Secondly, the lack of strategic thinking with regard to the green infrastructure creates uncertainty and risks further development along this edge in the future, without the landscape benefits.

The accompanying plans illustrate the current strategy in comparison to the opportunity that is presented by the development of this site.

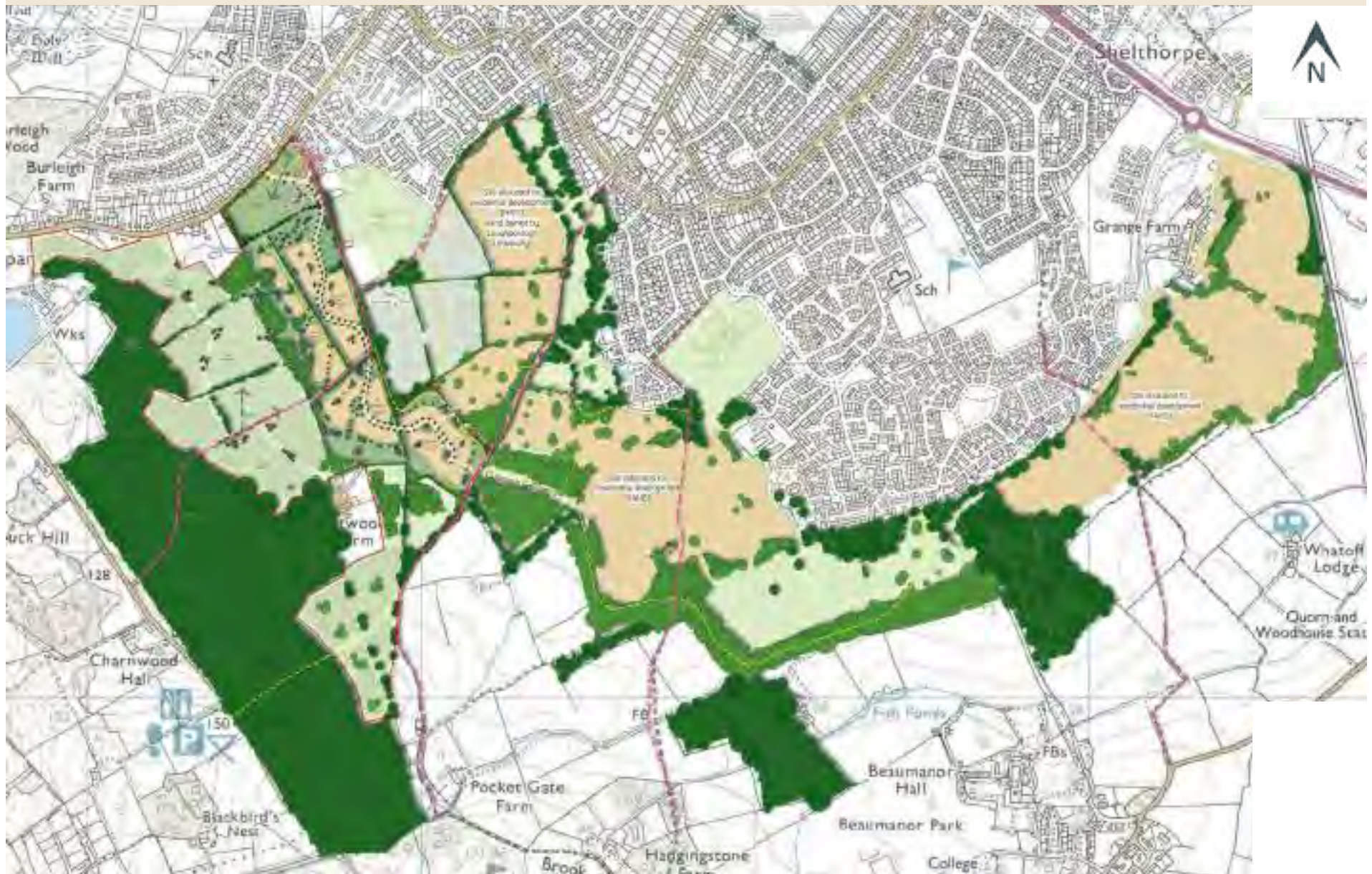
The wider masterplan illustrates how the development of Cope Wood is the key to unlocking a range of benefits to Loughborough by joining up the Submission Draft Plan proposed allocations as a series of Forest Communities with a new highway, similar in character to Woodhouse Lane. In doing so an even greater expanse of publicly accessible green space can be delivered, connecting communities and promoting movements towards the regional park on foot/bicycle. Furthermore, the subject site provides a potential solution to the biodiversity requirements associated with the allocations in South West Loughborough.

In addition, Cope Wood benefits from an access solution which provides direct access onto a primary route through Loughborough/Nanpantan as opposed to other allocations which are 'bolt-ons' to existing suburban areas, with traffic weaving through the existing suburban network. A comprehensive strategy to the allocations in south west Loughborough has clear highway benefits, facilitating direct access to Nanpantan Road and the M1 for the wider allocations as well.

## A Piecemeal Approach



# A Comprehensive Vision



# 2

## Creation of a Loughborough Gateway to the Regional Park

The Draft Local Plan recognises the pressure placed on the forest stating at paragraph 8.25:

“

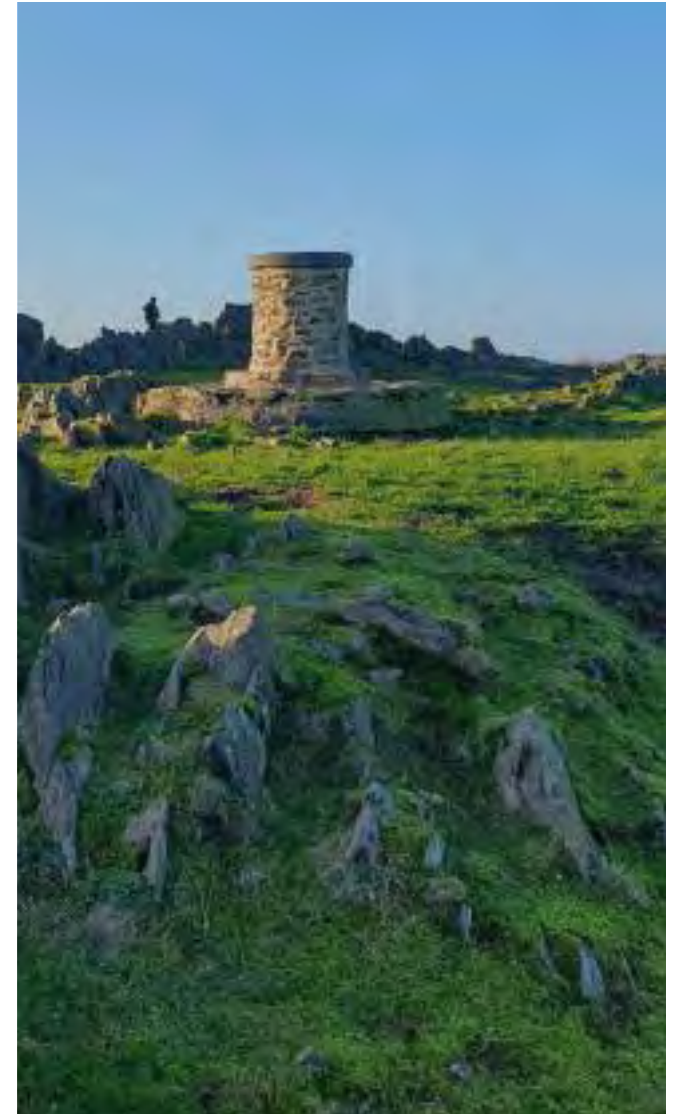
*It experiences significant pressure from visitors with much of the visitor pressure focussed on a few honey pot sites including Bradgate Park, Beacon Hill Country Park and the Outwoods all of which are in our Borough. Similarly, we will support the aims of the Landscape Partnership Scheme to provide a high-quality experience for visitors through both new or improved small-scale tourism facilities and through rural diversification. It is essential that visitor growth is managed in a way that is compatible with the special and unique character of Charnwood Forest.*

Policy EV4: Charnwood Forest and the National Forest states that the LPA “will work with our partners to protect and enhance the Charnwood Forest Regional Park and support the aims of the National Forest Strategy”.

The LPA will support development that:

- supports the woodland economy and rural diversification, including sustainable small-scale tourism and recreation opportunities which protect, and enhance the distinctive landscape character of the Charnwood Forest;
- protects and enhances the biodiversity of the Charnwood Forest Regional Park, consistent with the aims of the National Character Area profile of Charnwood;
- provides tree planting within the Charnwood Forest Regional Park, in accordance with the National Forest Planting Guidelines;
- provides an improved network of public rights of way within Charnwood Forest and between nearby settlements including the establishment of a network of off-road links for walkers, cyclists and equestrians; and
- improves accessibility for people with mobility issues including improved footpaths and parking for people with disabilities.

The current approach to the proposed allocations in south west Loughborough fails to meet this policy objective. The allocation of Cope Wood remedies this position, significantly increasing publicly accessible greenspace in and around the Charnwood Forest.





The Helen Jean Cope Charity (HJC) has been central to its philanthropic gifting for the benefit of Loughborough some of its most important forest assets such as Outwoods and Jubilee Wood. Central to this proposal is the completion of that philanthropy by the gifting of land extending to approximately 58 hectares which will provide:

- Publicly accessible land at the edge of the main urban area taking pressure away from the more sensitive central areas of the forest;
- Creation of a Loughborough Gateway to the Regional Park
- Enhanced and inclusive access allowing more varied access to a wider population close to their homes;
- Improved public interpretation and understanding of the forest through the delivery of a gateway hub;
- The long-term management and security of these new green public spaces as part of the legacy of the HJC.

The illustrative masterplan highlights the strategy for public open space, integrating the existing assets of the Moat Park, Sports Ground and the woods and demonstrates how these could be seamlessly linked as part of a strategic network of green infrastructure that will become an intrinsic part of Cope Wood. This strategy includes the creation of Nanpantan Park, the Wood Brook Coppice and Jubilee Meadows.





## CHARNWOOD FOREST GATEWAY HUB

- A potential facility delivered by the Helen Jean Cope Charitable Trust. The vision for this feature is for it to be a centre for information with the potential for additional uses such as cycle hire and a small shop/café, for example.



## THE GATEWAY

- An attractive view of the forest on the slopes above the site is experienced from Nanpantan Road at the entrance into the scheme. Given the vision for the site is to celebrate the forest setting this view is a key opportunity in creating a distinctive gateway to the scheme.



## NANPANTAN PARK

- This northernmost field, parallel to Nanpantan Road, will remain undeveloped and form a new community park;
- This will protect the view across to the woodlands, with houses to be nestled behind Wood Brook
- This is also an ideal location for a neighbourhood equipped area of play (NEAP) as it will benefit both existing and new residents.



## WOOD BROOK COPPICE

- New areas of woodland planting are proposed at the foot of the slope leading up to Outwoods/Jubilee Woods which will create an edge for the built form and contain the development;
- The new woodland will link through to Nanpantan Park at the western edge, crossing Wood Brook;
- New pedestrian routes will be formed through this area of woodland;



## JUBILEE MEADOWS

- The slopes extending west from Wood Brook Coppice leading up to Outwoods will be opened up for public access;
- New clusters of parkland trees and wildflowers are proposed to be planted across the slopes;
- Opportunities for sitting and enjoying the views across Loughborough from the elevated slopes above the proposed new housing will be created.



Overall, it is maintained that the site can deliver attractive and accessible green space with approximately 80% of the Charity's land ownership to be made publicly accessible and enhanced open space. This will deliver new areas of woodland, wildflower meadows, new tree planting and wetland areas (sustainable urban drainage and retention of existing ponds) and meet the aspiration within the draft Local Plan to enhance a Regional Park.

# 3 A Biodiversity Bank for Loughborough

Alongside the benefits of new housing Cope Wood will deliver a net gain in biodiversity for the subject site and the creation of a “biodiversity bank” for the surrounding allocations. The proposals provide 58ha of publicly accessible green space, constituting 80% of the total site area. Large areas of arable farmland will be changed to new areas of woodland, wildflower meadows, new tree planting and wetland areas (sustainable urban drainage and retention of existing ponds).

The network of existing hedgerows will be integrated into the public realm, ensuring habitats and foraging routes are protected and the ‘green feel’ to the proposals is maximised.

A substantial element of tree planting will also be introduced throughout the residential areas to break up the built form and ensure that the character of the forest is embedded within the new streets and spaces. This will be achieved through a combination of tree lined streets and small copses or ‘holts’ of trees in pockets of green space.

The green infrastructure framework identifies an appropriate sustainable urban drainage strategy for the site with attenuation basins at various low points within catchment areas across the site to appropriate manage surface water. These features can also be designed as wetlands to enhance the biodiversity of the site.





# 4 Investment in Loughborough

The Helen Jean Cope Charity is based in Loughborough and was formed in 1998 to manage the distribution to charity of Jean Cope's estate, who's family had previously gifted part of The Outwoods and also Jubilee Wood to the town. Over the last 21 years the charity has provided over £5million to assist schools, village halls, churches, playgroups, art festivals, and all manner of groups catering for the needs of young, the old, the disabled, the homeless and the sick.

The Charity's Trustees make grants to Registered Charities, usually to achieve specific objectives. Grants normally range in size between £500 and £5000, although larger grants are made in some circumstances. It prefers applications to be from charities based in the East Midlands, but grants are also made to national charities where they can demonstrate that they will provide a benefit to the local catchment area. Grants are usually made for specific purposes, which can be made directly from proceeds arising from the charity's land interests.

This relationship with the Helen Jean Cope Charity is an important part of the background context to the land being promoted as not only does the site and its setting represent a real opportunity to deliver a high-quality and distinctive new housing development which is a step above other sites in the borough, but it will also deliver tangible benefits to local people, projects and charities in the East Midlands.





# 5

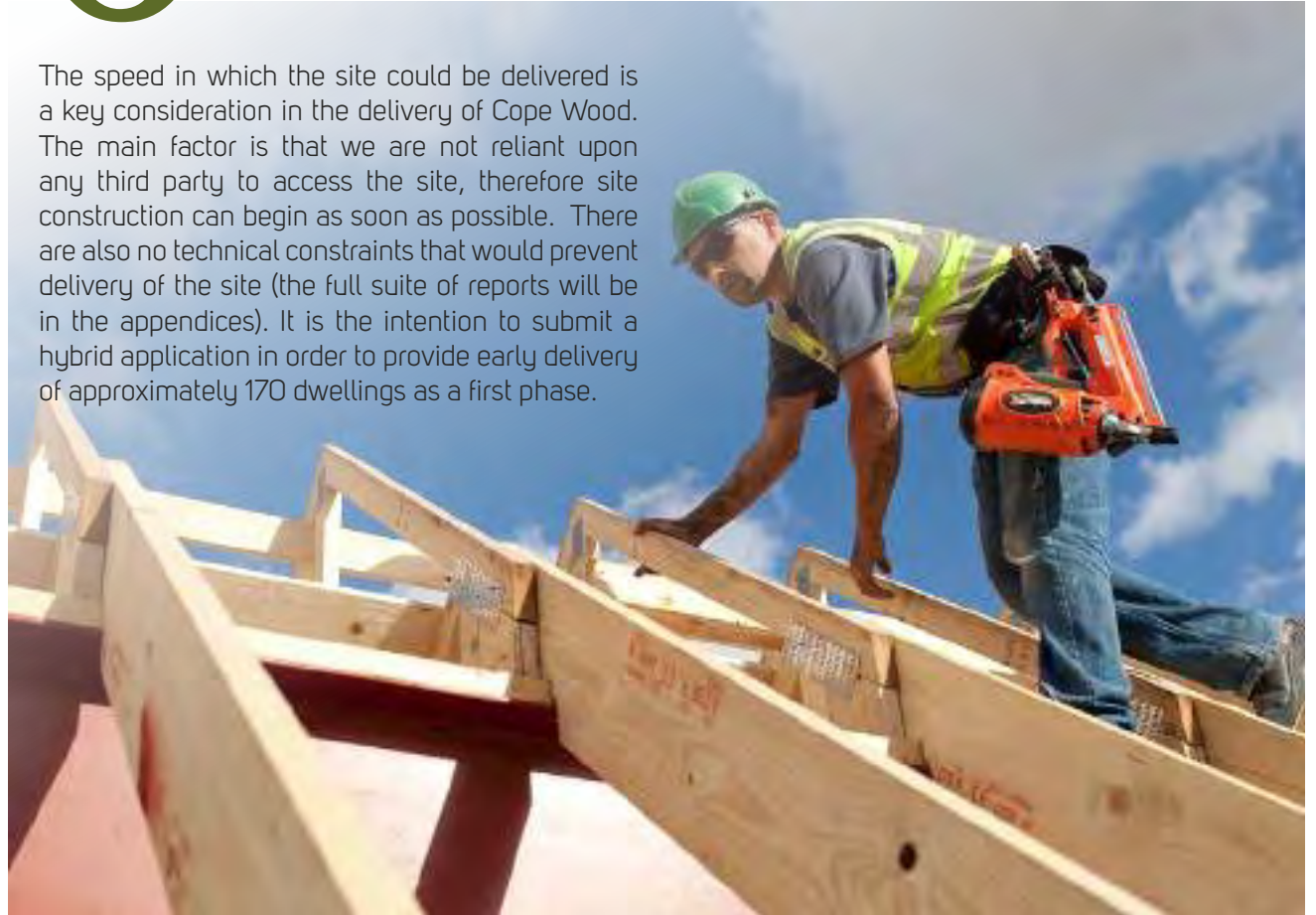
## A Commitment to Creating a Sense of Place

Davidsons and Redrow are two of the region's premium housebuilders with a reputation for high quality new homes and placemaking. Both developers are committed to creating a forest inspired scheme which has a sense of place and reflects the characteristics of the forest. The scheme will represent an understandable transition between the best architectural quality of Loughborough and the vernacular of the Charnwood Forest. The vision is to create a transitional quality between the more formal, and dense Wood Brook Edge to the less sense and sylvan character of Outwoods Meadows, The Orchards and the Holts. Such an approach is critical to the success of any strategy for development to the south-west of Loughborough and would be delivered by the two developers, Redrow Homes and Davidsons Developments, specifically chosen by HJC for their acknowledged reputation for place making and delivering high-quality, well-designed housing.



# 6 Deliverability

The speed in which the site could be delivered is a key consideration in the delivery of Cope Wood. The main factor is that we are not reliant upon any third party to access the site, therefore site construction can begin as soon as possible. There are also no technical constraints that would prevent delivery of the site (the full suite of reports will be in the appendices). It is the intention to submit a hybrid application in order to provide early delivery of approximately 170 dwellings as a first phase.



**Phase 1**  
170 dwellings

**Phase 2**  
100 dwellings

**Phase 3**  
145 dwellings

**Phase 4**  
150 dwellings



## Section 3

# The Masterplan

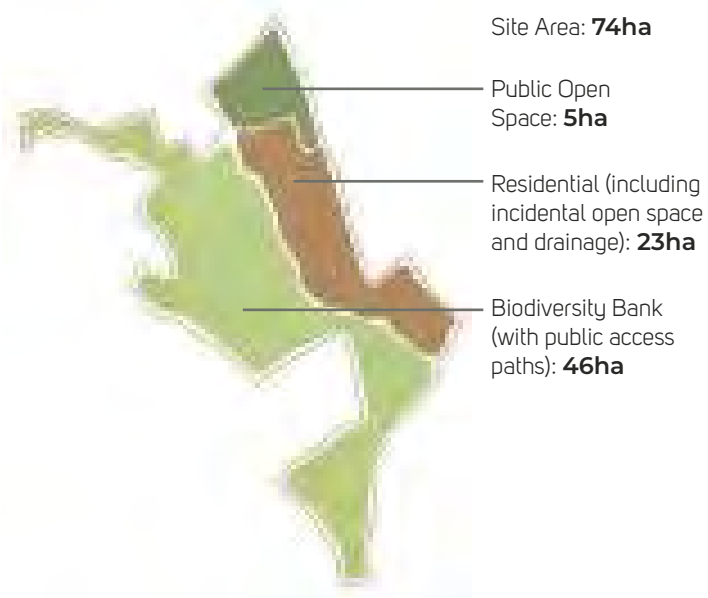


The previous sections of this document have outlined an exciting vision for the south west of Loughborough which will not only deliver housing but also extensive and lasting benefits to the community. This section provides further details on the subject site in particular, as a site that is immediately available, appropriate and deliverable.

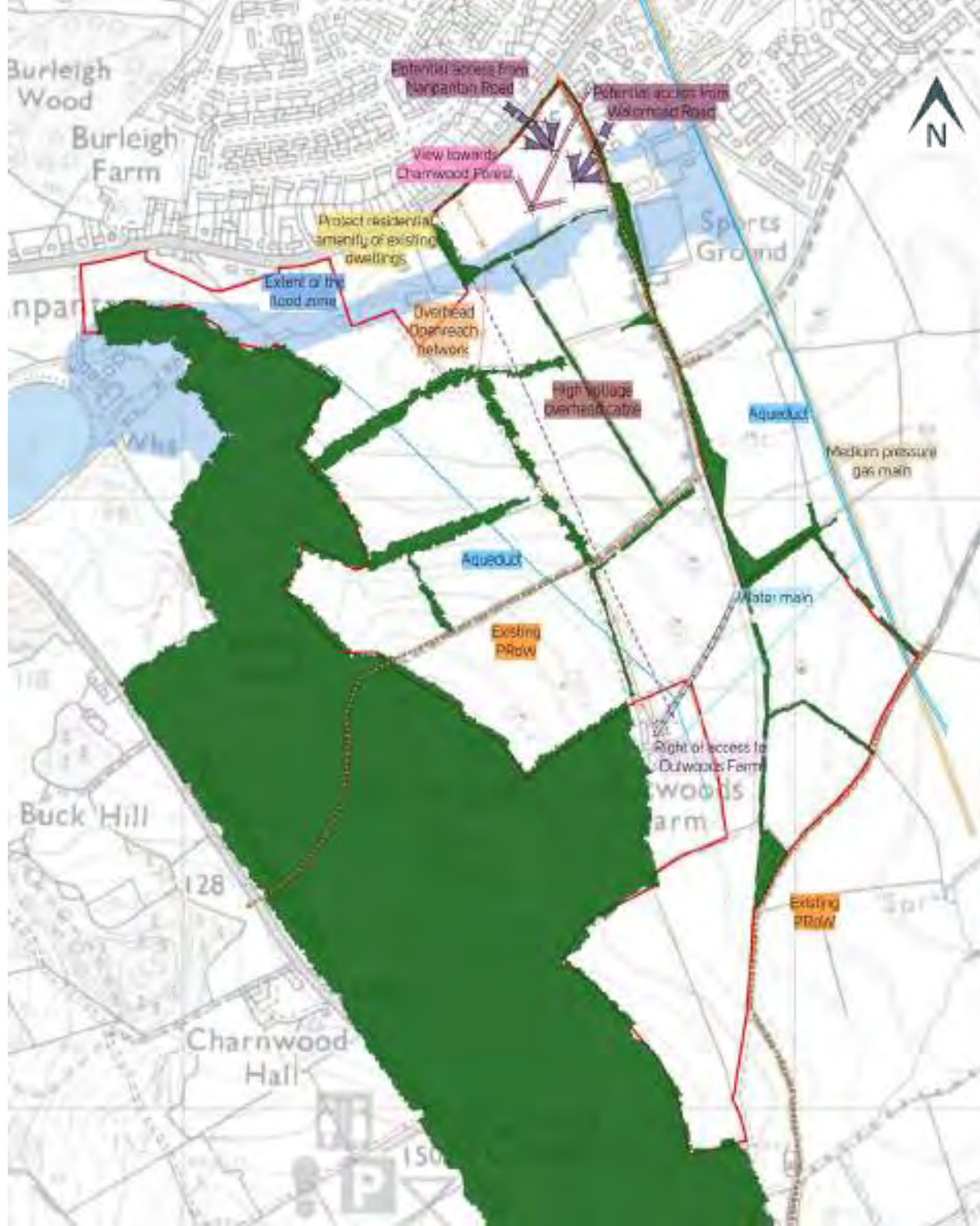
### Site Description

The site extends between Nanpantan Road to the north and Outwoods Farm to the south. The land within the red line measures approximately 74ha, with the main body of the site to comprise residential development and associated open space measuring 23ha. The main body of the site comprises a series of medium to large scale geometrically shapes fields maintained as mixture of arable and pastoral farmland. The land is bound to the north and east by the urban setting of Loughborough. To the west the land rises towards the wooded ridge line of Outwoods and Jubilee Woods that extend up to Woodhouse Lane marking the eastern fringes of the Charnwood Forest. To the south the farmland setting transitions towards the farmed parkland setting of Beaumanor Hall at Woodhouse, to the east lies Nanpantan Sports Ground and proposed cemetery land. The balance of land reserved for biodiversity within the ownership of the charity extends to 46 hectares out towards Charnwood Forest. Outwoods and Jubilee Wood to the west are both publicly accessible forming part of a number of recreation areas that include the Beacon Hill Country Park, West Beacon Fields, Windmill Hill and deeper into the Forest to the south Bradgate Country Park.

Davidsons Homes and Redrow Homes have commissioned a suite of background reports to inform the preparation of a robust development proposal for land south west of Loughborough. The scope of the technical assessment has been extended beyond the site in order to fully appreciate the wider context and any potential constraints to development.







Constraints and Opportunities Plan





## Landscape & Visual

The Landscape and Visual Baseline Report prepared by Golby+Luck in support of these representations has undertaken a detailed analysis of the broad area south west of Loughborough, in order to identify the parcels of land most suited for development, and sets out a landscape strategy for development in this location.

The report highlights that the primary constraint to development is the transition between the urban fringe of Loughborough to the east and the edge of Charnwood Forest to the west, which is linked to changing character and topography within the wider area. This forms the starting point for our landscape-led approach to development, which is key to ensuring a successful site which respects and responds to its setting whilst delivering a high-quality scheme in a sustainable location.

The land adjacent to the urban fringe comprises a relatively flat arable landscape that both in terms of character and visual setting engenders a less complex and standard landscape setting. Moving to the west at around the 85m AOD contours the landform begins to steepen developing a rolling character with increased complexity and when combined with the wooded setting of the ridge greater scenic quality.

Key views have also been taken into account, both of the site itself, and across it to its wider landscape setting. These views confirm the need for development to secure a robust woodland setting for development, creating parcels which are compartmentalised and facilitate significant new areas of landscaping to be incorporated throughout.

Having understood these constraints, it is clear that the scale, form, mass and appearance of the development must respond to the transitional quality of the landscape. This has informed the proposed approach of creating small clusters of development in Forest Communities, which emphasise the changing character of the development as it moves west from the urban fringe.

The Landscape and Visual Baseline Report identifies the following key landscape guidelines for the successful delivery of the Forest Communities concept:



1. Ensure that development is retained on the lower lying section;
2. Set development back from the Nanpantan Road frontage to safeguard the view towards Charnwood Forest;
3. Safeguard and enhance the existing public access and recreation function of this landscape. Consider the creation of a Forest Gateway or Hub providing information and services for the local user groups;
4. Create a strong framework of woodland and open meadows to replicate the mosaic pattern of land uses that are typical of the Charnwood Forest;
5. Identify development cells that can be pepper-potted within this framework creating the Forest Suburbs that will present as enclaves of development carved out of the mosaic setting of woodland and meadows;
6. Secure buildings that reflect the transition from the suburban setting of Loughborough to the rural character of the Charnwood Forest. Building scale and materials will be central to this.
7. Avoid built form that would be prominent in views from the ridge line and Beacon Hill either in height or materials, most notably colour.





## Movement & Connections

The site is in an inherently sustainable location, on the edge of the largest town in Charnwood Borough. There are numerous local facilities and considerable existing infrastructure available to facilitate journeys by sustainable modes of transport, which the development will connect to and enhance.

The masterplan is underpinned by the following movement principles: -

- two suitable and deliverable vehicular access points are achievable, one off Nanpanton Road via a ghost island T Junction and a second as an extension and reconfiguration of Watermead Lane.
- the two proposed access points are connected by a spine route which loops through the site.
- a 6.75m wide carriageway is proposed to accommodate future public transport penetration of the site;
- the route of the loop would ensure all residents are within 400m of the bus route.
- a 3m pedestrian/cycle footway will be provided on one side of the spine road
- existing public footpath routes run through the site connecting it with the neighbouring Outwoods and Jubilee Woods to the west and surrounding countryside to the south.



- new pedestrian routes to connect up the existing rights of way and create a permeable network of walking;
- the pedestrian routes promote localised journeys within the new community on foot and also open up the countryside and woodland to each doorstep, both of which will bring health and well-being benefits to new residents.





Masterplan



## The Masterplan

The illustrative masterplan has been informed by the emerging technical information and the priorities to set a clear vision for the delivery of up to 600 new homes.

The masterplan gives a realistic idea of the site capacity:

- approximately 16 hectares of the site is identified for development, factoring the parameters of the site, which equates to less than 20% of the land within the ownership of the charity.
- this will deliver between 400-600 new homes depending on mix and density. Testing layouts will be undertaken in the future to establish capacity.
- approximately 80% of the land within the charity's ownership will be set out as green infrastructure with less than 20% of the land developed.
- the accompanying phasing plan identifies that the site can be developed in 4 phases, each of between 100-200 dwellings via deliverable access points.

As previously identified the overarching vision for the masterplan is to reflect the setting of the Charnwood Forest and therefore new tree planting is the thread running through the masterplan to create a cohesive new development. In order to bring variety to the scheme the delivery of this sylvan character will be achieved through the provision of character areas will create a varying densities and different features: -

- Wood Brook Edge: More formal and planned housing with tree lined streets – 35 dph
- Outwoods Meadows: Lower density housing with woodland areas pedestrian – 25 dph
- The Orchards: Housing areas with fruit trees and allotments – 35 dph
- The Holts: Featuring groups of trees located in key green spaces – 37 dph

The architectural style of the proposed houses will be explored as the proposals progress and evolve however the general appearance will seek to portray the Arts and Crafts heritage of the local area in this document illustrate how the development can respond to the local vernacular in conjunction with the creation of a high quality landscape setting for the scheme.

Overall, it is maintained that the masterplan creates an exciting vision for a place with a unique identity which responds to the context and landscape setting, meeting the principles of Building for Life 12 to form a high quality new community.



## Section 4

# Summary



Redrow Homes and Davidsons Developments are proud to be working with the Helen Jean Cope Charity in the delivery of a truly unique development opportunity in Loughborough. Cope Wood will not only secure direct investment into the Town through the Charity but also a development of the highest quality that embellishes the identity of Charnwood and the Forest environment.

Cope Wood will secure a seamless transition between the Town and countryside and include extensive networks of green infrastructure and a net gain in biodiversity and a “biodiversity bank” for the wider area.

The protection of the Forest is central to our vision shaping the scale, character and appearance of this exciting development opportunity. The proposal will secure a gateway hub between the Town and the Forest helping to expand and enhance key recreation and tourism infrastructure as part of the emerging Regional Park.

Cope Wood will secure a mosaic of woodland, meadows and recreation space encapsulating new areas of housing and providing doorstep to countryside access. Our new homes will be designed in response to the local vernacular, transitioning from the prominent architecture of the late 19th and early 20th Century that defines the urban setting of the Town to the more intimate scale and appearance of the Arts and Crafts architecture of the Forest.

Cope Wood aims to set a benchmark for new housing development in Charnwood through a commitment to place making and the delivery of high environmental and design standards.





## HJC

Land value of up to 600 new homes invested on local projects



The expansion and enhancement of a Regional Park through a Loughborough Gateway in accordance with Policy EV4



Creation of new Charnwood Forest Gateway Hub



A net gain in biodiversity and a biodiversity bank for the wider area



New wildflower meadow planting, returning 46ha of land from arable fields, enhancing biodiversity;



Significant new tree planting across 42 hectares of land on the slopes up to Outwoods;



Creation of 58 hectares of publicly accessible green space



Provision of new cycle routes



Approximately 80% of the total site committed to Green Infrastructure.



A variety of equipped timber children's play and facilities play throughout the scheme, taking inspiration from the National Forest.



Potential to create a logical and feasible extension of 4 existing bus services through the site;



Up to 600 high quality new homes to be delivered with a unique, National Forest identity.

In conclusion it is maintained that this vision document clearly outlines the unique opportunity and significant benefits that development of the land under the ownership of Helen Jean Cope Charity for residential development. These benefits are: -

- the site's suitability, availability and achievability for residential-led development
- the tangible and significant local benefits of this site;
- the flexibility for the site to yield various quanta of development;
- the ability of the site to deliver housing in the short term;
- the wider opportunity to integrate this scheme with other potential housing sites; and
- certainty through the creation of a lasting and permanent edge to this side of Loughborough.





## **Appendix 3 – Preliminary Ecological Appraisal Report by Ramm Sanderson**

# South West Loughborough

## Preliminary Ecological Appraisal Report (PEAR)



Client:

Davidsons Developments and  
Redrow Homes

Report Reference:

RSE\_5960\_01\_V1

Issue Date:

June 2022

**PROJECT**

Client: Davidsons Developments & Redrow Homes

Project: South West Loughborough

Reference: RSE\_5960\_01\_V1

Report Title: Preliminary Ecological Appraisal

**DOCUMENT CONTROL**

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Revisions:

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# 1 EXECUTIVE SUMMARY

## 1.1 Background

- i RammSanderson Ecology Ltd was instructed by Davidsons Developments and Redrow Homes to carry out a Preliminary Ecological Appraisal and to produce a Biodiversity Impact Assessment and Biodiversity Net Gain Strategy based on an illustrative masterplan for at Land at South West Loughborough (central grid reference: SK 51545 17068) to inform the land promotion for a proposed new residential development with a large area between the residential boundary and the Out Woods SSSI proposed for new habitat creation, including new woodland and scrub in keeping with the local landscape character, and reversion from arable land to grassland. This will bring forward both a buffer between the proposed development and the Out Woods, and a bank of biodiversity units, both to offset this development proposal, and to be available for other proposals in the Borough which may not be able to deliver a net gain within their boundaries. This report is based on the proposals provided by the client which can be seen in the appendices (Plan Ref: n1312-005G Illustrative Masterplan).
- ii The development area of the site has been surveyed by RammSanderson previously in November 2019 (report ref: RSE\_3326\_01\_V1), this report provides an updated site assessment of this land, plus the land between the development edge and the Outwoods.
- iii The site comprises a number of large arable and grassland fields, intersected with hedgerows and Beacon Hill, Hangingstone and Out Woods SSSI adjacent to the western boundary. Wood Brook runs through the northern section of the site, eventually feeding into the River Soar in the east. The residential area of Nanpantan is located to the north, with Woodthorpe and Shellthorpe residential areas to the east, the main town of Loughborough c.2.5km north east, and further arable land to the south.
- iv Further surveys are required to inform an ecological impact assessment, as set out below:

**Table 1: Summary of Ecological Features & Recommendations**

| Ecological Feature | Comment   | Further Surveys Recommended  | Avoidance   | Mitigation  | Compensation/Enhancement   | Residual Impact  |
|--------------------|---|--|---|---|--|--|
| Designated Sites   | The works fall within the impact risk zone for Beacon Hill, Hangingstone and Outwoods SSSI which is adjacent to the western site boundary. Natural England will therefore be a consultee on the Local Plan and any subsequent application for the site. | Detailed assessments of the SSSI and current visitor levels, plus a SSSI Impact Assessment required to support an application. | Buffering and ample walking route (SANGS) provision around the development site and adjacent landscaping to avoid | Buffering and ample walking route (SANGS) provision around the development site and adjacent landscaping to mitigate effects of visitor pressure on the SSSI. | TBC following consultation with NE<br><br>A 25m wide area of new mixed woodland planting is included within the proposals along the SSSI boundary to create a buffer | TBC - a positive effect will be sought through the measures proposed and via consultation. |

| Ecological Feature | Comment   | Further Surveys Recommended   | Avoidance  | Mitigation   | Compensation/Enhancement   | Residual Impact                              |
|--------------------|---|---|--|--|--|--|
|                    |   |   | air/light/noise impacts  |  | to the development. Beyond this a buffer of locally native, gorse & broom dominated scrub will provide a further buffer and help to guide and restrict visitor movements to established paths.   |  |
| Habitats           | The majority of habitats on site were of limited botanical diversity and were common and widespread. Wood Brook flows through the northern section of the site from the west to the east, this habitat is of high distinctiveness. Discharges into Wood Brook will seek to be avoided through design proposals. | Although this habitat is being retained and enhanced, Wood Brook will require a MoRPh survey in order to assess its condition and river habitat type. This assessment will then feed into the BIA metric. If discharges to Wood Brook cannot be avoided, a Water Framework Directive assessment will be required. | Only remove habitat that is essential to permit the works. Select design option which results in the least removal possible. Most hedgerows are being retained throughout the proposals, w | Protect retained areas with fencing and signage designating them as 'no works zones'. Follow pollution prevention guidelines in order to prevent pollution to this watercourse during construction | Native species planting, underplanting of hedgerows with additional species, the incorporation of habitat boxes and hibernacula will all enhance the site post development. A detailed enhancement section is included within this report. | Indicative significant net gain for habitats |
| Great Crested Newt | Two ponds are located within the site, with a third on the site boundary. A further four  | Yes, - Suitability  | Habitat Index  | To be informed by further surveys  | To be informed by further surveys  | Unknown - further                            |

| Ecological Feature | Comment   | Further Surveys Recommended  | Avoidance  | Mitigation  | Compensation/Enhancement                                      | Residual Impact                    |
|--------------------|---|--|--|---|---|------------------------------------|
|                    | ponds are located within 250m of the site boundary. These ponds may provide suitable habitat for GCN. It is recommended that these ponds are subject to eDNA surveys for GCN to assess their potential presence on site. If present, the proposals will need to consider the potential assignation of land to this species in a reserve. Further survey work and licensing may also be required if present. | Assessment and potentially Presence /likely absence survey (eDNA or traditional methods – depending on timings and type of application being sought)   |  |   |   | surveys required                   |
| Bats               | During the phase 1 habitat survey, several trees were noted though these were not assessed for their potential to support roosting bats. The site has been assessed as moderate quality for foraging/commuting bats, and their use of the site will need further investigation.   | Yes, Ground Level Tree Assessment followed by roped access or nocturnal bat surveys on any trees to be removed or impacted. Monthly bat activity transect and static monitoring surveys April to September to determine species presence, abundance and use of the site. | Masterplan to avoid losses of habitats noted for importance to bats (woodland, hedgerows, flowing/standing water). | Sensitive bat lighting strategy detailed within a CEMP. | Enhancements could include features integrated into buildings | Unknown – further surveys required |
| Birds              | Habitats on site may create a valuable resource for bird species and as such this   | Further bird surveys required.   | Avoid any works in main bird   | TBC   | As per 'habitats', removed vegetation to be                   | Unknown – depends on               |

| Ecological Feature   | Comment  | Further Surveys Recommended   | Avoidance   | Mitigation                                | Compensation/Enhancement   | Residual Impact  |
|----------------------|--|---|---|---|--|--|
|                      | site may support a core population of the birds within the locality.   |   | nesting season (March to September, inclusive). Avoid habitat loss. |   | compensated for by replacement planting. Addition of bird boxes to retained trees and new buildings  | results of further surveys                               |
| Reptiles             | Hedgerows, scrub, semi-improved grassland, and tall ruderal vegetation provided opportunities for foraging, refuge and commuting for reptiles.   | A suite of reptile presence absence surveys is required.  | The masterplan avoids the most suitable habitats.                   | To be confirmed following further survey. | The inclusion of hibernacula and native planting will enhance the site for reptiles post development | Further surveys needed, but sensitive habitats retained. |
| Water vole and otter | Wood brook runs through the northern section of the site, and a ditch is also present through the central section of the site running from north to south. There is therefore the potential for these species to be present on site. | Two otter and water vole surveys should be conducted between April and September in order to assess the brook and determine presence / likely absence | To be informed by further surveys                                   | To be informed by further surveys         | To be informed by further surveys  | Unknown – depends on results of further surveys          |
| Badgers              | No signs of badger identified during the survey but badgers have been identified on site during the 2019 surveys indicating that badgers were present locally. Additionally  | Yes – badger survey required to identify presence / likely absence of setts on site   | To be informed by further surveys                                   | To be informed by further surveys         | To be informed by further surveys  | Unknown – depends on results of further surveys          |



| Ecological Feature        | Comment  | Further Surveys Recommended          | Avoidance  | Mitigation   | Compensation/Enhancement   | Residual Impact                       |
|---------------------------|--|--------------------------------------|--|--|--|---------------------------------------|
|                           | the hedgerows and adjacent woodland do offer suitable sett building habitat.   |                                      |  |  |  |                                       |
| Terrestrial invertebrates | The habitat on site is of limited value to terrestrial invertebrates as the majority of the site comprises monoculture arable land which lacks the suitable mosaic and species diversity that diverse invertebrate assemblages require. However, the woodland edge and hedgerows may prove a conduit for important invertebrate species.   | Yes                                  | Retention and establishment of new hedgerows and habitats will avoid direct impacts. | Change of use from intensive arable farming will likely lessen impact from pesticide applications. | The habitat creation proposed within this development has the potential to significantly increase the provisions for invertebrates at this site through planting and management schemes.               | Negligible                            |
| Biodiversity Net Gain     | The majority of the development includes the removal of low diversity and common habitats that support only limited protected species.<br><br>The site contains 144.5 baseline biodiversity units for habitat areas, and 72.2 units for hedgerow.<br><br>Based on the current proposed plan there will be quantified net gain in biodiversity of 160.3 habitat units (110.8%) across habitat areas and a gain of 8.6 hedgerow units (11.9%). | Monitoring surveys post construction | N/A  | N/A  | It should be noted that hedgerow units will be a gain when the landscape plan is finalised as all removed hedgerows are being replaced at a 2:1 ratio.<br><br>See enhancement section for more details | Possible significant positive outcome |
| Principal species         | Species such as hedgehog are potentially present locally.  | No                                   | N/A  | Best practice measures to avoid harm to fauna passing through the site                             | N/A  | Negligible                            |

| Ecological Feature | Comment | Further Surveys Recommended | Avoidance | Mitigation  | Compensation/Enhancement | Residual Impact |
|--------------------|---------|-----------------------------|-----------|---|--------------------------|-----------------|
|                    |         |                             |           | (see Section 5). Any log/brash piles to be moved carefully by hand. |                          |                 |

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## 2 INTRODUCTION AND BACKGROUND

### 2.1 Purpose and Scope of this Report

- i RammSanderson Ecology Ltd was commissioned by Davidsons Developments and Redrow Homes to review the ecological constraints and opportunities, to complete a BIA assessment to put forward the current baseline condition of the site, and the potential for change based on the current illustrative masterplan and to assess the potential for protected species and habitats to be present on the site at South West Loughborough (central grid reference: SK 51545 17068) for representation at Charnwood Borough Council's Local Plan Examination in Public. The current proposals indicate a residential development along the eastern edge of the site with the boundaries and surrounding land being retained and enhanced, bringing forward a bank of **160.32 biodiversity habitat units (a 110% net gain) and 8.61 hedgerow units (an 11.93% net gain)** to be used to offset the development proposals for this site, and potentially other nearby schemes which may be less able to within the confines of their boundaries.
- ii To complete a preliminary ecological assessment of the proposals, a desk-based assessment, Extended Phase 1 Habitat Survey and a preliminary protected species assessment (including Ground level Tree Assessments in this instance) were carried out. Taken together, in common with the Chartered Institute of Ecology & Environmental Management's (CIEEM) 2017 publication this is termed as a Preliminary Ecological Appraisal (PEA). This report aims to provide general advice on ecological constraints associated with any development of the site and includes recommendations for further survey. Therefore, this assessment is considered 'preliminary' until any required protected species, habitat or invasive species surveys can be completed and the results are then updated into a final 'Ecological Impact Assessment', which can be used to determine any subsequent planning application for the site, in line with current planning policy<sup>1</sup>.
- iii The study area included the site itself as well as considering desk study data and applicable legislation as shown in the enclosed Site Location Plan and Phase 1 Habitat plan (appendices). A buffer zone was also considered that included the Zone of Influence (see section below) of the proposals (hereafter referred to as the 'site').
- iv This preliminary appraisal is based on a review of the development proposals provided by the Client, desk study data (third party information), a previous and a survey of the site. The results from a previous Environmental Statement<sup>2</sup> (ES) of the wider development (much of which has been completed) which was published in 2011 was consulted and has been referenced in this report. The aims of this report are to:
  - Classify the habitat types at the site based on standard Phase 1 Habitat survey methodology
  - Evaluate any potential for protected or priority species/habitats to be present
  - Identify any ecological constraints that may affect the scheme design
  - Provide recommendations for any further surveys that might be required (for example to confirm presence / likely absence of protected species), which would need to be obtained for a subsequent EclA in order for a planning decision to be concurrent with current planning policy
  - Identify opportunities for ecological enhancement to provide net biodiversity gain in line with the National Planning Policy Framework (NPPF, 2021) and Environment Act (2021).

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<sup>1</sup> Office of the Deputy Prime Minister Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System

<sup>2</sup> Hallam Land Management, Land north of Bromham Road, Biddenham - Refreshed Environmental Statement ES/2079.23/August11

- v This report pertains to these results only; recommendations included within this report are the professional opinion of an experienced ecologist and therefore the view of RammSanderson Ecology Ltd.
- vi The surveys and desk-based assessments undertaken as part of this review and subsequent report including the Ecological Constraints and Opportunities Plan are prepared in accordance with the British Standard for Biodiversity Code of Practice for Planning and Development (BS42020:2013).

## 2.2 Zone of Influence

- i The Zone of Influence (Zoi) is used to describe the geographic extent of potential impacts of a proposed development. The Zone is determined by the development proposals in relation to individual species ecological requirements indicated in best practice guidelines.
- ii In relation to great crested newts (GCN), the Zoi is considered to be up to 500m from the site boundaries, as this is the distance that Natural England would require to be considered in relation to GCN licensing. However, for this site the ZOI is only considered for water bodies within 250m of the site boundary. Guidance set out within Natural England's Method Statement template, to be used when applying for a Great Crested Newt development licence, states that surveys of ponds within 500m of the site boundary are only required when '(a) data indicates that the pond(s) has potential to support a large great crested newt population, (b) the footprint contains particularly favourable habitat, (c) the development would have a substantial negative effect on that habitat and (d) there is an absence of dispersal barriers.' Given that in this instance, the terrestrial habitat surrounding the site is generally considered 'suboptimal' with hardstanding, and grassland lacking a tussocky thatch to support GCN refuge and the scheme is small in scale with localised impacts, it is considered that survey of ponds within 500m of the site boundary is not required, and that survey of ponds within 250m represents adequate survey effort.
- iii For badgers, the zone of influence is typically 30-50m from the Site boundary as this is the distance within which a sett can be damaged or disturbed by heavy machinery.
- iv As bats are highly mobile species, the Zoi for these can be 5km from a site wherein high-quality habitat will be impacted by proposals.
- v For designated sites, the Zone of Influence can be >10km from the site and this is termed the Impact Risk Zone (IRZ). Where European sites (SAC<sup>3</sup>'s, or SPA<sup>4</sup>'s) occur within an IRZ the requirement for a Habitat's Regulations Assessment or Environmental Impact Assessment may be triggered.

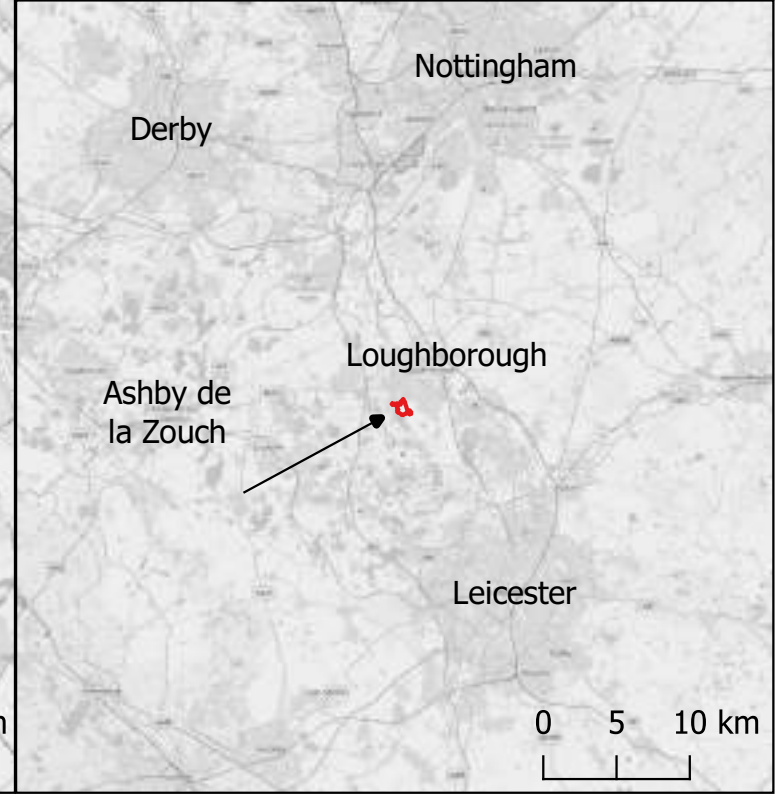
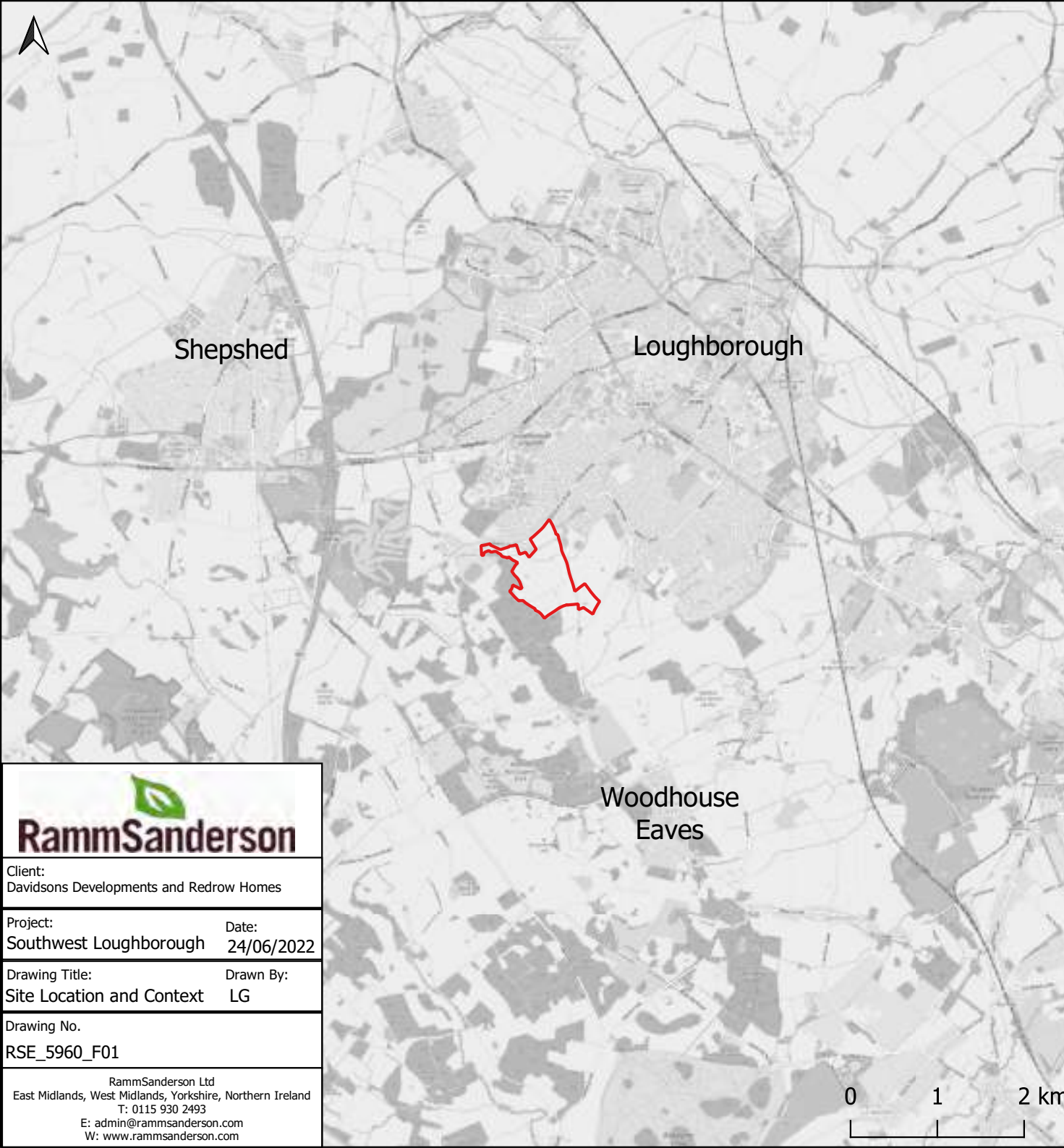
## 2.3 Site Context and Location

- i The site is predominantly arable cropland with some areas of grassland and Beacon Hill, Hangingstone and Outwoods, a SSSI woodland is to the west of the site boundary. Residential areas (Nanpantan and Shellthorpe) are present to the north and east, with further arable land to the south. The town of Loughborough is located to the north east c.2.5km.

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<sup>3</sup> Special Areas of Conservation, as designated under the EU Habitats Directive

<sup>4</sup> Special Protection Areas, as classified under the EU Birds Directive



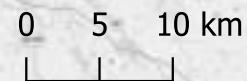
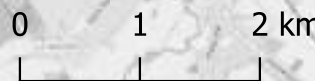
Client:  
Davidsons Developments and Redrow Homes

Project: Southwest Loughborough      Date: 24/06/2022

Drawing Title: Site Location and Context      Drawn By: LG

Drawing No.  
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## 3 METHODOLOGY

### 3.1 Preliminary Appraisal

- i The preliminary ecological appraisal is based on the standard best practice methodology provided by the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017). The assessment identifies sites, habitats, species and other ecological features that are of value based on factors such as legal protection, statutory or local site designations such as Sites of Special Scientific Interest (SSSI) or Local Wildlife Sites (LWS) or inclusion on Red Data Book Lists or Local Biodiversity Action Plans. Based upon this, recommendations for further, more detailed surveys are made as appropriate to confirm presence / likely absence of a protected species.
- ii In identifying constraints, the review considers the Client's Site proposals and any subsequent recommendations made are proportionate / appropriate to the site and have considered the Mitigation Hierarchy as identified below:
  - **Avoid:** Provide advice on how the development may proceed by avoiding impacts to any species or sites by either consideration of site design or identification of an alternative option.
  - **Mitigate:** Where avoidance cannot be implemented mitigation proposals are put forward to minimise impacts to species or sites as a result of the proposals. Mitigation put forward is proportionate to the site.
  - **Compensate:** Where avoidance cannot be achieved any mitigation strategy will consider the requirements for site compensatory measures.
  - **Enhance:** The assessment refers to planning policy guidance (e.g. NPPF 2021) to relate the ecological value of the site and identify appropriate and proportionate ecological enhancement in line with both national and local policy.

### 3.2 Phase 1 Habitat & UK HAB Survey

- i An extended Phase 1 Habitat Survey of the site was completed to identify habitats present. All habitats within the site boundary were described and mapped following standard Phase 1 Habitat Survey methodology (JNCC, 2010), which categorises habitat type through the identification of individual plant species.
- ii Simultaneously, surveyors also categorised the habitats on site, and assessed their condition, using the more recently introduced UK HAB survey methodology (UKHab Ltd, 2018), to, aside from gleaning further detailed information on the site, to robustly inform the BIA process.

### 3.3 Desk-based Assessment

- i Data regarding statutory and non-statutory designated sites, plus any records of protected or priority species and habitats was requested from the local ecological records centre and online resources, details of which are provided in Table 2 below.



Table 2: Consulted resources

| Consultee/Resource  | Data Sought                                       | Search Radius from Boundary |
|---|---|-----------------------------|
| Leicestershire and Rutland Local Records Centre                       | Non-Statutory Site Designations                   | 2km                         |
|   | Protected/Principal Species Records               | 2km                         |
| <a href="http://www.magic.gov.uk">www.magic.gov.uk</a> <sup>5 6</sup> | Statutory Site Designations (Impact Risk Zones)   | 20km                        |
|   | Habitats of Principal Importance (NERC Act, 2006) | 1km                         |
|   | European Protected Species Licences               | 5km                         |

NB: Desk study data is third party controlled data, purchased or consulted for the purposes of this report only. RammSanderson Ecology Ltd cannot vouch for its accuracy and cannot be held liable for any error(s) in these data.

### 3.4 Bats

#### 3.4.1 Preliminary Bat Roosting Assessment

- i The overall value of the site and its connectivity to the wider countryside was assessed in relation to bats. The likelihood of bats roosting at the site or moving through the site between local roost sites and foraging/mating/hibernation habitats was considered.
- ii The site, including the trees and boundary trees, were assessed by an ecologist and graded as to their suitability for supporting roosting bats using the Bat Conservation Trust's *Bat Surveys for Professional Ecologists: Good Survey Guidelines* (Collins, J. Eds. 2016), an extract of which is provided interpreted in the Table below.

Table 3: Criteria for bat roost potential assessment of buildings and trees

| Roost Potential | Description   | Surveys Required (Trees)   |
|-----------------|---|--|
| Confirmed roost | Evidence of roosting bats found during initial daytime inspection.  | 3 - including 1 dawn as a minimum  |
| High *          | Structures with one or more features suitable for bat roosting, with obvious suitability for larger numbers of bats.  | 3 - including 1 dawn as a minimum  |
| Moderate        | Structure with one or more potential roost sites that could be used due to size, shelter and protection but unlikely to support a roost of high conservation status.          | 2- including 1 dawn as a minimum   |
| Low             | Structure with one or more potential roosting sites used by individual bats opportunistically. Insufficient space, shelter or protection to be used by large numbers of bats. | Precautionary Mitigation Approach, some instances may require further survey |
| Negligible      | No or negligible features identified that are likely to be used by roosting bats  | None   |

<sup>5</sup> Multi Agency Geographic Information for the Countryside Interactive GIS Map.

<sup>6</sup> MAGIC resource was reviewed on the 14/05/2022

\* Unless it is a confirmed roost, additional surveys are required of buildings to assess presence / likely absence of a roost. The number of surveys are indicative to give confidence in a negative result, i.e. where no bats are found, confidence in a result can be taken.

### 3.4.2 Preliminary Assessment of Bat Activity – Habitat Quality

- iii The habitat quality of the site for bat activity and foraging was assessed in line with the aforementioned methodology.

## 3.5 Great Crested Newt (GCN) Habitat Suitability Assessment (H.S.I)

- i Waterbodies within 500m of the survey area were evaluated against the GCN HSI criteria (Oldham *et al*, 2000). The HSI provides a measure of the suitability of a water body to support GCN by assigning an overall score of between 0 and 1, which is based on ten key criteria as follows:

- SI1 Geographic location
- SI2 Pond area
- SI3 Pond drying
- SI4 Water quality
- SI5 Shade
- SI6 Presence of water-fowl
- SI7 Presence of fish
- SI8 Number of local ponds
- SI9 Terrestrial habitat quality
- SI10 Plant coverage

- ii In general, ponds with a higher score are more likely to support GCN than those with lower score. Suitability for GCN is determined in accordance with the scale outlined in the table below.

**Table 4: HSI Scoring Criteria**

| HSI Score  | Pond Suitability |
|------------|------------------|
| <0.5       | Poor             |
| 0.5 – 0.59 | Below average    |
| 0.6 – 0.69 | Average          |
| 0.7 – 0.79 | Good             |
| >0.8       | Excellent        |

## 3.6 Phase 1 Habitat Survey

- i An extended Phase 1 Habitat Survey of the site was completed to identify habitats present. All habitats within the site boundary were described and mapped following standard Phase 1 Habitat Survey methodology (JNCC, 2010), which categorises habitat type through the identification of individual plant species.

## 3.7 Protected / Priority Species Scoping Assessment

- i The habitats on site were assessed for their suitability for supporting any legally protected or Priority species that would be affected by the proposed development. This includes invasive non-native plant species such as Japanese knotweed (*Fallopia japonica*), Himalayan balsam (*Impatiens glandulifera*) and giant hogweed (*Heracleum mantegazzianum*).

### 3.8 Biodiversity Impact Assessment

#### 3.8.1 Outline Procedure

- i Biodiversity Impact Assessment of proposals was carried out in accordance with guidelines published by DEFRA and via the DEFRA Metric Calculation Tool 3.1. The existing value of individual habitats on site is initially calculated by accurately mapping the proposed development site from information collected during a Biodiversity Scoping Assessment/Phase 1 Habitat Survey and by dividing the land into individual habitat parcels. This part of the study is informed by JNCC Phase 1 habitat and UK habitats classification systems. The distinctiveness, condition, connectivity, and strategic significance of these parcels is then assessed and together with the area of each habitat, a value is assigned. A summary of how habitat distinctiveness, condition assessment, connectivity and strategic significance is determined is detailed within DEFRA best practice literature

#### 3.8.2 Calculation

- i Once the habitat types have been input into the Biodiversity Impact Assessment calculator, along with their area, distinctiveness, condition, connectivity, and strategic significance an overall score in biodiversity units is calculated.

#### 3.8.3 Compensation

- i Once the biodiversity value of existing on-site habitats has been quantified, the value of indicatively proposed habitats to achieve a net gain as part of development must be calculated. This is calculated using the methodology applied above, considering the area/length of indicatively proposed habitats, their distinctiveness, condition, connectivity, and strategic significance once this is established. A further two parameters are also taken into consideration at this stage. These are the time it will take to reach this target condition and the difficulty of creating/restoring each habitat type proposed. By using these parameters, the calculation takes into account that the time it takes for a habitat to establish may result in a loss of biodiversity for a period of time and also the risk of failure associated with any habitat creation/restoration

### 3.9 River condition assessment (MoRPh & River Type survey)

- i The River Condition Assessment (RCA) consists of a field survey and a desk-based assessment to evaluate the River Type and Condition Score of watercourses. This data is then inputted into the BIA metric to understand the impact of a development to watercourses. Under DEFRA Metric 3.1, an RCA will be required if works are to occur within 10m of the banks of a watercourse.
- ii The field survey comprises a minimum of 5 contiguous Modular River Physical Habitat (MoRPh) module surveys, also known as a MoRPh5 survey. Each MoRPh5 survey characterises a subreach of the watercourse being assessed, and MoRPh5 surveys are conducted to cover at least 20% of the watercourse length within the survey area. During this survey, all features of the watercourse are analysed to capture the morphology, sediments, physical features and vegetation structure of the watercourse channel and margins within 10m of the bank tops.
- iii The desk-based assessment then assesses the indicative River Type of the wider river reach that the survey area lies within. This is determined from a desk study including the measurements of planform, confinement and valley gradient of an extended reach enclosing the survey area, as well as information on the bed material of the river from the MoRPh field survey(s).

- iv These data sets are subsequently used to derive a Final Condition Assessment for each MoRPh5 subreach as follows:
- Thirty-two Condition Indicator scores are estimated from the MoRPh field survey data. The Condition Indicators score a series of 'natural' (positive) and human-impacted (negative) properties of the bank tops, bank faces, and riverbed within each MoRPh5 subreach. The Condition Indicators are assigned scores ranging from 0 to +4 (positive indicators) or 0 to -4 (negative indicators) based on a numerical synthesis of subsets of survey observations.
  - The average positive and average negative Condition Indicator scores for each MoRPh5 subreach are added together to generate a Preliminary Condition score.
  - A Final Condition Score is then assigned to each MoRPh5 subreach based on the Preliminary Condition score and the River Type being assessed
- v The Final Condition Score is then inputted into the DEFRA Metric BIA calculator, in addition to the further variables (including the distinctiveness, spatial location, strategic significance, time to target condition, difficulty of creation/enhancement and encroachment) to determine the impact of a development on the assessed watercourse.

### 3.10 Limitations

- i It should be noted that whilst every effort has been made to provide a comprehensive description of the site, no investigation could ensure the complete characterisation and prediction of the natural environment.
- ii It must be noted that any alteration of condition of both the baseline and the created habitats will alter the overall BNG score, and units lost / gained
- iii Additionally, there is a watercourse (Wood Brook) flowing through the northern section of the site, this has not yet been subjected to surveys to assess the baseline for aquatic habitats (MORPH survey) and as such this has been excluded from the calculation until further assessments can be undertaken. Although this watercourse is not to be impacted as part of the proposals, DEFRA 3.1 requires all watercourses that are on site to be assessed regardless of predicted impact.

### 3.11 Accurate lifespan of ecological data

- i The majority of ecological data remain valid for only short periods due to the inherently transient nature of the subject. The survey results contained in this report are considered accurate for approximately 18 months from the date of survey, notwithstanding any considerable changes to the site conditions, the presence of mobile species such as bats, otters and badgers or where species/county specific guidance dictates otherwise (CIEEM, 2019).

## 4 RESULTS

### 4.1 Surveyors and Survey Conditions

- i A walkover survey was completed by Oliver Ramm MCIEEM and Lauri Leivers ACIEEM, with further condition assessment and mapping completed by Nicola Woods QCIEEM and Tom Hewison QCIEEM. The survey was completed during suitable conditions as detailed in the table below.

**Table 5: Summary of conditions during survey**

| Abiotic Factor              | Survey 1        | Survey 2  |
|-----------------------------|-----------------|---|
| Survey type                 | Walkover survey | Phase 1, UK HAB and condition assessment survey |
| Date completed              | 20.05.2022      | 17.06.2022                                      |
| Temperature (°C)            | 19              | 23  |
| Wind speed (Beaufort Scale) | 1               | 2   |
| Cloud cover (Oktas Scale)   | 8               | 2   |
| Precipitation               | 0               | 0   |

### 4.2 Desk Study

- i A total of 19 statutory designated sites were recorded within the search area, the details of which are summarised in the Appendices. The site is located within the Impact Risk Zone (IRZ) of Beacon Hill, Hanginstone and Out Woods SSSI and Johnson's Meadows SSSI. Out Woods SSSI is adjacent to the western boundary.

- i The Site lies within 5km of two LNR's, 16 SSSI's and Charnwood Lodge NNR. The proposals are of a type (listed below) that is included within the IRZ for these National designated sites.

- **Infrastructure:** Pipelines, pylons and overhead cables. Any transport proposal including road, rail and by water (excluding routine maintenance). Airports, helipads and other aviation proposals.
- **Wind and Solar Energy:** Solar schemes with footprint > 0.5ha, all wind turbines.
- **Minerals, Oil and Gas:** Planning applications for quarries, Incl: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/extraction.
- **Rural Non-Residential:** Large non-residential developments outside existing settlements/urban areas where net additional gross internal floorspace is > 1,000m<sup>2</sup> or footprint exceeds 0.2ha.
- **Residential Development:** Residential development of 100 units or more.
- **Rural Residential:** Any residential development of 10 or more houses outside existing settlements/urban areas.
- **Air Pollution:** Any development that could cause air pollution (incl: industrial/commercial processes, livestock & poultry units, slurry lagoons & digestate stores, manure stores).
- **Combustion:** All general combustion processes. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/combustion.

- **Waste:** Mechanical and biological waste treatment, inert landfill, non-hazardous landfill, hazardous landfill, household civic amenity recycling facilities construction, demolition and excavation waste, other waste management.
- **Composting:** Any composting proposal. Incl: open windrow composting, in-vessel composting, anaerobic digestion, other waste management.
- **Water Supply:** Large infrastructure such as warehousing / industry where net additional gross internal floorspace is > 1,000m<sup>2</sup> or any development needing its own water supply.

ii 30 non-statutorily designated sites were also identified within the search radius, details of which are provided in the Appendices.

ii There are 198 Habitats of Principal Importance under Section 41 of the NERC Act, 2006 located within a 1km radius of the site. These are shown in table 3 below, with the distance and direction of the closest habitats in regard to the site referenced. The closest is a section of woodland adjacent to site along the western side which is comprised of a variety of different woodland habitats.

**Table 6: Habitats of Principal Importance within 1km of Site Boundary**

| Habitat                             | Quantity | Closest Habitat - Distance to Site | Closest Habitat - Direction to Site |
|-------------------------------------|----------|------------------------------------|-------------------------------------|
| Deciduous Woodland                  | 137      | Adjacent                           | West                                |
| Broadleaved Woodland                | 24       | Adjacent                           | West                                |
| Woodland – Conifer                  | 9        | Adjacent                           | Southwest                           |
| Ancient and Semi-Natural Woodland   | 4        | Adjacent                           | West                                |
| Ancient Replanted Woodland          | 2        | Adjacent                           | Southwest                           |
| Woodland – Felled                   | 2        | Adjacent                           | Southwest                           |
| Woodland – Mixed Mainly Broadleaved | 4        | 115m                               | South                               |

iii Records of previous European Protected Species Licences (EPSL) were discovered within a 5km search area around the site. This included:

- 19 records of bat licences for common pipistrelle (*Pipistrellus pipistrellus*), Soprano pipistrelle (*Pipistrellus pygmaeus*), brown long-eared bat (*Plecotus auratus*) and Natterer's bat (*Myotis nattereri*). The closest licence was located 0.8km to the south of site allowing the destruction of common pipistrelle and Soprano pipistrelle resting places (2019-40630-EPS-MIT). The most recent licence was granted in 2020 allowing the destruction of a common pipistrelle and Soprano pipistrelle breeding site (2020-49321-EPS-MIT).
- Six records of great crested newt (*Triturus cristatus*) licenses. The closest licence was located 2.1km west-northwest of site allowing the damage and destruction of GCN resting places (2020-44928-EPS-MIT). The most recent licence was granted in 2021 which is currently unspecified what this licence was granted for (2020-45283-EPS-MIT-2).

- iv Protected species records were received from Leicestershire and Rutland Environmental Records Centre. A summary of the records considered most relevant to the site and/or proposed development are provided in the Appendices. Full species records are available to view upon request.
- v The desk study data is third party controlled data, purchased for the purposes of this report only. RammSanderson Ecology Ltd cannot vouch for its accuracy and cannot be held liable for any error(s) in these data.


#### **4.3 Habitat Connectivity Analysis and Closest Relevant Records**

- i In assessing the site, a review of online resources and desk study data was undertaken to assesses the site with respect to its connectivity to the wider environment, particularly along linear features (rivers, railways, canals etc.) and any designated or protected sites.
- i The site has connectivity to a large area of woodland adjacent to the western site boundary which forms part of Beacon Hill, Hangingstone and Out Woods SSSI. An extensive series of hedgerows onsite provides further connectivity with the surrounding landscape with Nanpantan Reservoir LWS being located just 80m southwest. These habitats will offer good connectivity and foraging for avian species such as birds and bats and for terrestrial mammals such as badgers.




#### 4.4 Habitat Survey


- i Habitat descriptions and photos are provided below. For a Phase 1 Habitat Survey Plan refer to the appendices.
- ii Habitat types detailed below are listed in order of the JNCC (2010) Handbook. The species list provided in this report reflect only those taxa observed during the survey. Whilst UKHab surveys and coding was also collected, it was deemed confusing to include details of both classification types here.

**Table 7: Results of Site Survey**

| Habitat                     | Description   | Area (m <sup>2</sup> ) | Proportion of site (%) | Ecological Importance & Outcome of Proposal   | Photograph  |
|-----------------------------|---|------------------------|------------------------|---|---|
| B2 neutral grassland        | This area had a mix of species including equally abundant Yorkshire fog ( <i>Holcus lanatus</i> ), meadow foxtail ( <i>Alopecurus pratensis</i> ) and cocksfoot ( <i>Dactylis glomerata</i> ), frequently occurring were crested dogs tail ( <i>Cynosurus cristatus</i> ) and perennial ryegrass ( <i>Lolium perenne</i> ) occasionally occurring ( <i>Ranunculus repens</i> ), dandelion ( <i>Taraxacum</i> sp.), white clover ( <i>Trifolium repens</i> ), and rarely occurring ribwort plantain ( <i>Plantago lanceolata</i> ) |                        |                        | To be retained and enhanced to other neutral or acid grassland as part of the proposals                         |   |
| J2.4 Species rich hedgerows | The dominant species within the hedgerows on site was hawthorn ( <i>Crataegus monogyna</i> ), with frequent blackthorn ( <i>Prunus spinosa</i> ), occasional elder ( <i>Sambucus nigra</i> ) and dog rose ( <i>Rosa canina</i> ) and rarely occurring sycamore ( <i>Acer pseudoplatanus</i> )   |                        |                        | Some to be lost as part of the proposals. Ecologically valuable and to be replaced and enhanced where retained. |  |



| Habitat                     | Description  | Area (m <sup>2</sup> ) | Proportion of site (%) | Ecological Importance & Outcome of Proposal  | Photograph  |
|-----------------------------|--|------------------------|------------------------|--|---|
| A2.1 Dense continuous scrub | This habitat was present across the site. Areas of scrub were dominated by willow and bramble, and in places mixed. Species included hawthorn, blackthorn, goat willow ( <i>Salix caprea</i> ), willow sp ( <i>Salix sp</i> ), bramble and gorse ( <i>Ulex europaeus</i> ) |                        |                        | Small areas of this will be lost in order to facilitate the proposals. However, extensive scrub planting is proposed in order to enhance the site.                                       |    |
| A3.1 Scattered trees        | Scattered trees were present across the site. Species included ash ( <i>Fraxinus excelsior</i> ), oak ( <i>Quercus sp</i> ), goat willow, sycamore and field maple ( <i>Acer campestre</i> )   |                        |                        | Some of these trees will be lost to facilitate the proposals. Any lost trees are to be replaced like for like and an extensive number of trees are proposed in order to enhance the site |   |
| G2 Running Water            | Wood Brook runs through the northern section of the site, flowing from west to east. The channel was c.0.5m wide and with a depth of c.5-30cm. the banks were earth with scrub and nettle present.   |                        |                        | Very high distinctiveness habitat with high ecological value. To be retained as part of the proposals though the banks will be enhanced with suitable planting.                          |  |

| Habitat     | Description  | Area (m <sup>2</sup> ) | Proportion of site (%) | Ecological Importance & Outcome of Proposal                                  | Photograph  |
|-------------|--|------------------------|------------------------|--|---|
| J1.1 Arable | The majority of the site area comprised arable cereal or hay cropland. |                        |                        | Limited ecological and botanical value. To be lost or enhanced to grassland. |  |

## 4.5 Preliminary Protected / Priority Species Assessment

- i The potential for protected species to be present on site and impacted by the proposals is discussed under the headings below.

### 4.5.2 Habitats

- i The majority of the habitats on site comprised low diversity arable land and grassland, however a number of hedgerows were present across the site which were identified as intact native species rich. Some of these hedgerows will require removal or severance as part of the development scheme.

### 4.5.3 Biodiversity Impact Assessment

- ii The proposal plan (n1312-005G Illustrative Masterplan) for the site shows location of residential areas, enhancement areas and greenspace but does not yet show exact locations of the residential properties, as such an assumption of a 70:30 split between houses and hardstanding against garden habitat has been used as per the simplified methodology. This plan has been used to calculate the approximate net change on site, although this is not the finalised plan at this stage it can be utilised to give an approximate indication of net change resulting from this land promotion.
- iii The site contains 144 baseline habitat units and 72 hedgerow baseline units, river habitat has not yet been assessed.
- iv Post intervention, based on the above-referenced illustrative masterplan, the site will yield 304 baseline habitat units and 80 baseline hedgerow units, resulting in a change of +110% for habitats and +11.9% for hedgerows. All trading rules have been satisfied within the metric.

Figure 2: BIA Headline Results

| Southwest Loughborough<br>Headline Results   |                | Return to<br>results menu |
|--|----------------|---------------------------|
| On-site baseline   | Habitat units  | 144.59                    |
|  | Hedgerow units | 72.23                     |
|  | River units    | 0.00                      |
| On-site post-intervention<br>(including habitat retention, creation & enhancement)   | Habitat units  | 304.91                    |
|  | Hedgerow units | 80.84                     |
|  | River units    | 0.00                      |
| On-site net % change<br>(including habitat retention, creation & enhancement)  | Habitat units  | 110.88%                   |
|  | Hedgerow units | 11.90%                    |
|  | River units    | 0.00%                     |
| Off-site baseline  | Habitat units  | 0.00                      |
|  | Hedgerow units | 0.00                      |
|  | River units    | 0.00                      |
| Off-site post-intervention<br>(including habitat retention, creation & enhancement)  | Habitat units  | 0.00                      |
|  | Hedgerow units | 0.00                      |
|  | River units    | 0.00                      |
| Total net unit change<br>(including all on-site & off-site habitat retention, creation & enhancement)                            | Habitat units  | 181.32                    |
|  | Hedgerow units | 8.81                      |
|  | River units    | 0.00                      |
| Total on-site net % change plus off-site surplus<br>(including all on-site & off-site habitat retention, creation & enhancement) | Habitat units  | 110.88%                   |
|  | Hedgerow units | 11.90%                    |
|  | River units    | 0.00%                     |
| Trading rules Satisfied?   | Yes ✓          |                           |

#### 4.5.4 Great Crested Newt (GCN)

- i A number of waterbodies, water courses and ditches were identified on site and within 500m of the site boundary.
- ii One waterbody was present on site (P2), with P4 &5 and P9-16 being within 100m of the site boundary and P1, P3, P6-8 between 250-500m. None of these were located beyond a barrier to amphibian dispersal such as a road or river. Nanpantan Reservoir is stocked and used for recreational angling so is scoped out of any further assessment.
- iii The habitats on site were largely sub-optimal due to the regular disturbance resulting from arable crop farming activities such as spraying and cutting. However, there remains some scope for amphibian species in the hedgerows, ditches, pond and scrub habitats on site. P9-16 are situated beyond the SSSI woodland to the west, limiting the likelihood that any populations present within those water bodies would pass through optimal habitat to access sub-optimal farmland.

**Figure 3: Waterbody Location Plan**

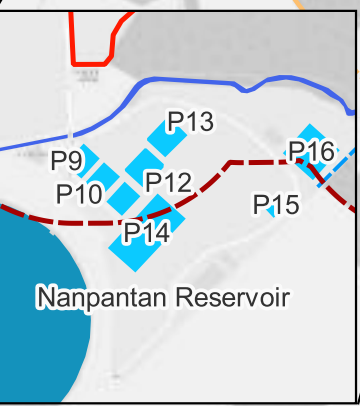
[Overleaf]



Burleigh Brook

Wood Brook

Nanpantan Reservoir



**Key**

- Site Boundary
- 100m Buffer
- 250m Buffer
- 500m Buffer
- Brook
- Reservoir
- Pond
- Ditch/Drain



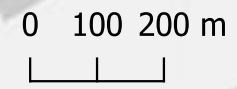
Client:  
Davidsons Developments and Redrow Homes

Project:  
Southwest Loughborough

Drawing Title:  
Waterbody Plan

|                                    |                     |
|------------------------------------|---------------------|
| Drawing No.<br><b>RSE_5960_F02</b> | Rev:<br><b>V3</b>   |
| Drawn By:<br>LG                    | Date:<br>24/06/2022 |
| Scale @A4:<br>1:11300              |                     |

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#### 4.5.5 Bats

##### Roosts – initial assessment

- i A number of trees were identified on site during the survey, some of which will need to be removed as a result of this development. It is possible that bats may roost within these trees on site therefore more detailed surveys are recommended in the subsequent sections of this report.

##### Foraging and Commuting Habitat

- i The habitat on site includes areas of open grassland and arable land separated by hedgerows with scrub and woodland to the west, and wood brook flowing across the northern section of the site. As such, this site qualifies as **moderate** foraging habitat.
- ii Proposed works include removal of vegetation including the hedgerows, scattered trees and scrub that may be used for foraging and commuting purposes by local bat population and given the residential and woodland areas nearby within which bats may roost it is possible this site forms a core foraging or commuting resource for local bat species. Further surveys are recommended to assess the potential for impacts to bats as a result of the proposals.

#### 4.5.6 Birds

- i The habitat on site is of value to foraging and nesting birds. The lines of hedgerow and open farmland and grassland areas are the only habitat of this type in the area and as such there may be many species of birds dependant on this resource.
- ii The trees, scrub, and grassland offers scope for birds to nest on site and as such this should be considered in relation to vegetation removal and timings of these works. The majority of these habitats are to be lost in order to facilitate this proposal.

#### 4.5.7 Reptiles

- i The habitats on site include scrub, flowing water, grassland and adjacent woodland to the west of the site which increases connectivity for terrestrial fauna. The on site hedgerows offer good connectivity and refuge for reptile species.
- ii However, it should also be noted that the site is at present in rotation as arable farmland and would therefore be subject to disturbance in connection with farming activities.

#### 4.5.8 Badgers

- i Badger setts have been identified on this site during a previous survey (RammSanderson, 2019) indicating that badgers are present in the locality and are using the site. During the updated survey no badger setts or signs of badger such as latrines, hairs or prints were identified, however several paths were observed across the site.
- ii Habitats that were suitable for sett creation and foraging such as hedgerows and dense continuous scrub were identified on site as such, the presence of badgers on site or passing through the site during the construction phase cannot be ruled out.

#### 4.5.9 Terrestrial Invertebrates

- i Habitats on site such as the broad-leaved scattered trees, poor-semi improved grassland and scrub do offer scope to support invertebrate species. The majority of the site area however, is comprised of cropland which is sub optimal for invertebrates.

- ii As there are a number of species specialist to the Charnwood area, and a significant landscape change proposed, invertebrate surveys should be completed to inform impact assessment.

#### **4.5.10 Other Priority Fauna Species**

- i The habitats on site such as the hedgerows, grassland and scrub were suitable for the priority species hedgehog (*Erinaceus europaeus*). Due to a lack of suitable habitats, the site is not considered likely to support any other legally protected or priority species.

#### **4.5.11 Invasive Species**

- i No invasive species such as Japanese knotweed (*Fallopia japonica*) and Himalayan balsam (*Impatiens glandulifera*) were identified within the site boundary, though a number of invasive species were present within the locality such as signal crayfish (*Pacifastacus leniusculus*), Canadian waterweed (*Elodea canadensis*) and Japanese knotweed.

## 5 DISCUSSION & RECOMMENDATIONS

### 5.1 Statutory and Non-Statutory Designated Sites

#### 5.1.1 Assessment of Ecological Effects

- i The site lies within an Impact Risk Zone (IRZ) for Beacon Hill, Hangingstone and Out Woods SSSI which is adjacent to the western site boundary and is therefore also the closest statutorily designated site to the Site boundary. This site was designated due to it being some of the best habitat in Leicestershire for breeding birds. The Out Woods support one of the most interesting stands of ancient semi natural alder woodland in the county. Due to the proximity of the proposed residential area to this SSSI further consultation will be required as this proposal does fall within the categories of impact to the SSSI site (any planning proposal). It should be noted however, that significant onsite enhancements are proposed in the area closest to the SSSI site, including a strip of woodland buffer planting and areas of scrub and grassland which will act as a buffer to the SSSI site.
- ii The closest non-statutorily designated site is Outwood LWS, which is adjacent to the southern boundary of the Site. This site is designated as it is an ancient woodland.

#### 5.1.2 Further Survey

- i Further survey will be informed by the consultation with natural England.

#### 5.1.3 Mitigation

- i Mitigation will be informed by the consultation with natural England and any potential further surveys that are undertaken

### 5.2 Habitats

#### 5.2.1 Assessment of Ecological Effects

- i Wood brook runs through the site in the northern section, this is a habitat of high value and will provide core habitat for a number of terrestrial and aquatic species.
- ii No protected or priority plant species were observed and all plant species encountered were common, widespread and characteristic of the common habitat types they represent. The table below summarises the habitat types identified on site and the potential impacts as a result of the proposals and their ecological significance.
- iii All hedgerows on site were formed of >80% native woody species are therefore a Habitat of Principal Importance under the NERC Act (2006). The current proposals include retention of the majority of these hedgerows and reinforcement with native species, however some will be removed to make way for the proposed development.
- iv The adjacent SSSI woodland habitat was considered to be of very high ecological value both intrinsically as a habitat but also in its potential to support protected species.

#### 5.2.2 Further Survey

- i Although wood brook is being retained as part of the proposals, as this habitat is of high value and is on site where encroachment of the development may happen, a MoRPh (Modular River Physical) survey is required in order to determine the habitat condition and river type, as well as inform how to enhance this watercourse.
- ii Due to the number of hedgerows on site it is recommended that a full hedgerow survey is undertaken and the hedges are assessed against HEGS/REGS in order to assess their ecological value.



- iii A SSSI Impact assessment including NVC surveys of the Out Woods SSSI and survey of visitor numbers currently using the Out Woods recreationally is recommended to help inform the proposals.
- iv No further survey is recommended for the remaining habitats on site due to their low value and diversity.

### **5.2.3 Mitigation**

- i As Wood Brook is on site, all works should avoid silt and other materials from entering this water course.
- ii Any areas of hedgerow that are to be removed will be replaced at a 2:1 ratio with intact species rich hedges, the retained hedgerows will be underplanted with climbers such as honeysuckle and reinforcement planting of native species.
- iii A large proportion of this site is designated as enhancement areas. Other neutral and acid grassland as well as scrub, woodland and SUDS features are proposed, which is leading to an overall net gain in biodiversity for habitats on site, see the BIA and enhancement sections for more details.

## **5.3 Great Crested Newts**

### **5.3.1 Assessment of Ecological Effects**

- i A total of 16 ponds and five watercourses were present on site or within 500m of the site boundary these were not separated from the site by barriers to amphibian dispersal though there was habitat of higher value to terrestrial phase GCN in the form of the SSSI woodland to the west of the site boundary.
- ii Additionally there are records of great crested newts returned within the desk study, indicating they are present locally.

### **5.3.2 Further Survey**

- i It is recommended that both habitat suitability assessments and eDNA surveys are carried out on onsite P2 and ditches, as well as the remaining 15 offsite waterbodies. In the event that this returns a positive result it may be necessary to undertake full population class assessments to establish the population size at site.

### **5.3.3 Mitigation**

- i Mitigation will be informed by the above surveys.

## **5.4 Roosting Bats**

### **5.4.1 Assessment of Ecological Effects**

- i There were a number of trees identified on site which may offer roosting potential to bats in the locality.

### **5.4.2 Further Survey**

- i The trees on site will require ground level tree assessments in order to identify any potential roosting features and grading from negligible bat potential, low, moderate or high.
- ii For any trees with bat roosting potential that are scheduled for removal, no further surveys would be required on negligible potential trees and trees with low roosting potential would require removal using soft fell methodology. Moderate to high potential trees would require an additional two or three (respectively) nocturnal or tree climbing surveys between May-September and in suitable weather conditions (no wind or rain and temperatures above 5 degrees). These surveys should be spaced in order to capture the seasonal changes of bat species from maternity season (early summer) to breeding (autumn).

### 5.4.3 Mitigation

- i Should further surveys be required, the recommended further surveys outlined above will inform mitigation required for any bats roosting within the trees on site.
- ii Where possible retention of any trees on site is recommended.

## 5.5 Bat Activity

### 5.5.1 Assessment of Ecological Effects

- i Habitats on site such as scattered trees and hedgerows provide suitable foraging and commuting routes for local bat populations. Bats follow natural 'corridors' such as hedgerows to travel between foraging sites. Although the site is situated between residential housing, there is some connectivity for bats to access the wider countryside via the site. The hedgerows and broad-leaved scattered trees will also support an invertebrate community that will provide a food source for local bat populations. As such, it is considered that the site has moderate suitability habitat for bats.

### 5.5.2 Further Survey

- i In light of the above, further survey is recommended in the form of bat activity transects to determine their presence/absence, which species are using the site and their activity levels. In line with the Bat Conservation Trust best practise guidelines (2016), bat activity transects will need to be carried out with one survey per month over the bat flight season (April-October inclusive) in suitable weather conditions, including at least one dusk-dawn survey. Static bat detectors will also need to be deployed in two locations on site for a consecutive five nights during each month of the bat flight season to monitor activity levels (Collins ed., 2016).

### 5.5.3 Mitigation

- i The above surveys will inform the mitigation with more accuracy, however it should be noted that artificial lighting can affect the way that bats use habitats in a number of ways, depending on the species and proximity to a roost. Direct bright lighting of a roost can cause bats to delay emergence from a roost and could even cause them to desert the roost or become entombed within it (BCT and ILP, 2018). The prey items for British bats are flying insects, and many flying insects are attracted to certain types of artificial light sources, especially those that emit light with an ultraviolet component or have a high blue spectral component (BCT and ILP, 2018). Lighting within the site could therefore be expected to affect the ways that the bats in the area are able to use the site.
- ii As a result, it is recommended that construction works are to be undertaken in daylight hours only with no night hours work permitted. During both the construction and operational phases of all areas of the site, efforts should be made to prevent impacts to foraging and commuting bats by the implementation of a bat friendly lighting scheme. This should follow the guidelines set out in Bats and Artificial Lighting in the UK (BCT, 2018). Therefore, associated site lighting proposals must consider the following:
  - Lighting of or light spill onto hedgerows, boundary vegetation and the central ditch should be avoided and lighting in general should only be used where necessary.
  - Luminaires should lack UV elements and metal halide; fluorescent sources should not be used.
  - LED luminaires should be used where possible, owing to their sharp cut-off, lower intensity, good colour rendition and dimming capability. A warm white spectrum (<2700Kelvin) to reduce the blue light component should also be utilised and luminaires should feature peak wavelengths higher than 550nm.
  - Any external security lighting of the site during construction should be set on motion-sensors and short (1 minute) timers.

- Lamps should be fitted with light spill accessories directing light downwards and avoiding upward spill and spill onto site boundaries and buildings.
- ii All new lighting will meet the current environmental standards of good practice in order to reduce potential light pollution and will use the lowest intensity for its purpose. This will minimise light spill onto dark corridors.

## 5.6 Birds

### 5.6.1 Assessment of ecological effects

- i The habitats on site, particularly the scattered trees and woodland adjacent may offer suitable foraging and nesting opportunities to a core population of local birds in the area. Arable and grassland areas may also be of value to overwintering and migratory birds.

### 5.6.2 Further Survey

- i Due to the suitability of the habitats on site for birds, birds of conservation concern (BoCC) and some schedule 1 species, breeding and overwintering bird surveys are recommended. In line with BTO methodology, an initial ground truthing visit will be undertaken to plan transect routes and record habitat types suitable for breeding birds. Then four breeding bird surveys will be undertaken throughout the nesting bird season of March – June. Four further wintering bird surveys will be undertaken between November and February.

### 5.6.3 Mitigation

- i Further mitigation will be informed from the results of the bird surveys.

## 5.7 Reptiles

### 5.7.1 Assessment of ecological Effects

- i The site is considered to offer some suitable habitat for reptile species such as the hedgerows and grasslands for commuting / foraging / refugia. However, there is good connectivity between the site and farmland to the south and the woodland to the west.
- ii The habitats on site are in the most part sub optimal arable, additionally, there are areas of higher value for reptile species offsite within the locality such as woodland, scrub, grasslands and hedgerows.

### 5.7.2 Further Survey

- i A suite of 7 presence or likely absence surveys are recommended to be undertaken for reptiles prior to a planning application coming forward for the site.

### 5.7.3 Mitigation

- i Further mitigation will be informed from the results of the reptile surveys.

## 5.8 Badgers

### 5.8.1 Assessment of Ecological Effects

- i The habitat such as scrub and hedgerows have the potential to encourage / allow sett creation, and the arable and grassland habitats may be utilised as a foraging resource. Additionally, badger setts have been identified on site previously.

### **5.8.2 Further Survey**

- i An updated detailed badger survey and camera trap monitoring survey is recommended in order to establish presence / likely absence of badger on site.
- ii Badgers can establish new setts relatively quickly, as such if the works do not commence within 6 months of this walkover survey then it should be noted that should the works not commence within 6 months of the date of the survey, then an update survey for badgers should be undertaken to identify any new setts that may be present. If any new mammal holes or potential signs of badger (paw prints, hairs, dung pits) are found on site prior to or during the works, the advice of a suitably experienced ecologist should be sought, but will likely require a 30m buffer established from the sett entrance and a period of camera trap monitoring (min 2 weeks)

### **5.8.3 Mitigation**

- i Further mitigation will be informed from the results of the badger survey.

## 6 ENHANCEMENTS AND HABITAT CREATION

- i It is a requirement of the NPPF (2021) that developments provide a gain for biodiversity post development.
- ii A BIA has been undertaken on this site, though in draft form at present due to the early stage of this proposal. The BIA identifies that a significant gain in habitat and hedgerow units is possible on this site due to the large area that has been selected for enhancements. Below are details of the habitat creation and enhancement that are proposed within the BIA, see the appendices for the visualisation plan indicating habitat locations and the metric 3.1 for areas of each habitat. Note that the DEFRA Metric technical guidance will be followed in order to assess and create habitat of moderate – good conditions as the BIA indicates.
- iii The site represents a great opportunity for habitat enhancements to be provided for a great many species also. Details would be provided with a planning submission. Several indicative measures are shown below.

### 6.2 Acid Grassland Creation

- i Acid grassland occurs on nutrient poor soils and is dominated by species that are able to cope with a soil pH of between 3.5 and 6.0 and typically have a short vegetation structure. Areas of the site have shown indication that the creation of this habitat would be possible with indicator species present such as gorse and sheep's sorrel.
- ii In order to create this habitat, the areas will first be mown, with all arisings removed from the site, then scarified and planted with acid grassland mixes, such as:
  - N12 acid soils meadow mixture: A mix of 20 native wildflower species and 8 species of grass which should be sown at a rate of 5g per square meter, 20kg per acre and 50kg per hectare
  - N12 acid soils plant collection: a minimum of 10 species
- iii This grassland will then be managed to prevent scrub and bracken encroachment, with additional planting as required. These areas should be mown twice a year after the habitat is established, in early spring and late autumn. Monitoring surveys will also be undertaken to assess the condition and extent of this habitat in future years and an updated species list will help inform additional planting. In order to create this habitat in moderate condition (location of habitat creation results in a good condition being unlikely due to pH of soil on site) the monitoring surveys will include condition assessments in order to help guide management.

### 6.3 Neutral Grassland Creation

- i In addition to the acid grassland, areas of neutral grassland in moderate condition are also proposed to be created within the enhancement areas. In order to create this habitat the same methodology as above will be applied but with the planting scheme including:
  - N1 general purpose meadow mixture: a mix of 15 native wildflower species and 6 species of grass
  - N4 summer flowering butterfly and bee mixture: a mix of 26 native wildflower species and 10 species of grasses
  - N5 long season meadow mixture: a mix of 29 native wildflowers and 10 species of grass.
- ii These areas will also be managed to prevent scrub and bracken encroachment, with additional planting as required. These areas should be mown twice a year after the habitat is established, in early spring and late autumn. Monitoring surveys will also be undertaken to assess the condition and extent of this habitat in future years and an updated species list will help inform additional planting. In order to create this habitat in moderate condition (location of habitat creation results in a good condition being unlikely due to pH of soil on site) the monitoring surveys will include condition assessments in order to help guide management.

## 6.4 Modified Grassland

This area is located at the edges of the proposed residential areas, this will be short mown and will be planted with NL1 lawn mixture, NL2 fine lawn mixture, N14 flowering lawn mixture or similar.

## 6.5 Scattered Trees and Woodland

i A way to easily enhance the ecological value of the site is to incorporate native species planting into proposals. Where new landscape planting is proposed species commonly occurring locally such as oak and silver birch (*Betula pendula*), could be used. Other species such as rowan (*Sorbus aucuparia*) and whitebeam (*Sorbus aria*) would make attractive additions to the Site. In particular rowan will provide a valuable source of berries late into the winter months and provide an important food source for native and migratory bird species. Ash and elm should currently be avoided due to the prevalence of 'Ash die-back' and 'Dutch elm disease', as stocks of these species cannot be guaranteed to be free from these afflictions. The use of native species in tree planting is also encouraged as these can harbour a high diversity of invertebrates. For example, English oak trees have over 400 associated invertebrate species (Kennedy & Southwood, 1984). Other suggested planting of benefit to invertebrates includes:

- Hawthorn (*Crataegus monogyna*);
- Blackthorn (*Prunus spinosa*);
- Hazel (*Corylus avellana*); and
- Birch (*Betula sp.*)
- Scots Pine (*Pinus sylvestris*)

ii This habitat will also be managed to prevent the understory being overrun with ivy, bramble, bracken or any other single species to allow for a diverse ground flora to emerge.

## 6.6 Hedgerow – Enhancement and Creation

i New hedgerows will be created across the site, acting as boundaries to newly planted grasslands and replacing lost hedgerows at a 2:1 ratio. These will be planted as species rich with at least 7 native species such as:

- Blackthorn
- Hawthorn
- Holly
- Beech
- Rowan
- Hazel
- Honeysuckle
- White Briony
- Beech
- Elder

ii The hedges will be underplanted with a shade tolerant mix such as N9 hedgerow meadow mix which contains species that are suitable for sun and shade conditions irrespective of the direction that the hedge faces.

## 6.7 Mixed Scrub

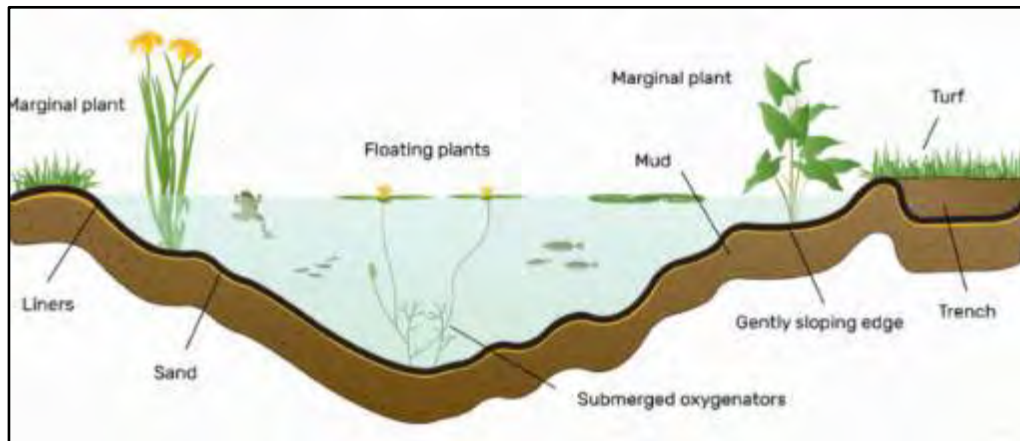
i This habitat is located along the proposed new woodland to act as a natural ecotone and gradually lead into the grasslands. This will be planted with a mix of the following species:

- Gorse
  - Broom
  - Willow sp
  - Dogwood
  - Juniper
  - Bracken
  - Wayfaring tree
  - Privet
  - Holly
  - Hazel
  - Whitebeam
  - Rowan
  - Honeysuckle
  - Field rose
  - Everlasting pea
  - White briony
- ii This area will be managed to prevent it becoming overrun with ivy, bramble or bracken, as well as pruned occasionally to maintain as scrub and prevent progression to woodland. Selective rotational clearance of scrub areas should also be implemented to maintain clearings/glades throughout this habitat. The ground flora should also be plated with the previously mentioned shade tolerant mixes such as N9.

## 6.8 Wood Brook, SUDS and Pond Creation

- i Standing water creation and enhancement of the banks of wood brook is included within proposals which would be a key enhancement to the site. To attract pollinators such as moths and butterflies to the proposed pond area, planting mixes should be used, such as:
- N8 waters edge meadow mixture: a mix of 24 wildflower species and 9 grass species
  - N7 wetland meadow mixture: a mix of 22 wildflower species and 12 grass species
- ii These areas will include logs and stones to create habitat for fauna, a gently sloping area will be present on one aspect to allow for easy escape, as well as creating variety in the levels of the pond which will encourage a more diverse assemblage of wildlife to utilise the pond.
- iii Algae and weed management will take place at least once a year to prevent the pond from becoming overgrown. It is important to not remove this in its entirety, only enough to help the waterbody to maintain its natural balance and not become overrun. Removed weeds should be left on the ground at the ponds edge for at least 24 hours to allow anything within them to return to the waterbody, after which it should be removed to prevent spread. This should be carried out over winter when species such as newts are not using the pond for breeding. Sediment removal may also be necessary to maintain the pond, this should be undertaken late autumn / winter, with no more than half removed in minimise disruption and loss of mud dwelling invertebrates / amphibians.
- iv In terms of aquatic planting, oxygenators such as water starwort (*Callitriche spp*) provide cover for wildlife. Emergent plants such as yellow flag iris (*Iris pseudacorus*) and rushes (*Juncus spp.*) provide habitat for emerging insect larvae such as dragonflies. Floating plants such as waterlilies (*Nymphaea spp*) provide refuge for invertebrates and other wildlife.

Figure 4: Pond Creation



([www.lincstrust.org.uk](http://www.lincstrust.org.uk))



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## APPENDIX 1: LEGISLATION AND PLANNING POLICY

### 7.2 General & Regionally Specific Policies

- i. Articles of British legislation, policy guidance and both Local Biodiversity Action Plans (BAPs) and the NERC Act 2006 are referred to throughout this report. Their context and application is explained in the relevant sections of this report. The relevant articles of legislation are:

- The National Planning Policy Framework (2021)
- ODPM Circular 06/2005 (retained as Technical Guidance on NPPF 2021)
- The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019
- The Wildlife and Countryside Act 1981 (as amended)
- EC Council Directive on the Conservation of Wild Birds 79/409/EEC
- National Parks and Access to the Countryside Act 1949
- The Protection of Badgers Act 1992
- The Countryside and Rights of Way Act 2000
- The Hedgerow Regulations 1997
- The Natural Environment and Rural Communities (NERC) Act 2006
- Leicestershire Biodiversity Action Plan

Regarding the NPPF 2021, the most pertinent paragraphs are:

*8.c) “to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”*

*174.d) “minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”*

*179.b) “promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”*

*180.a) “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.”*

*180.c) “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>63</sup> and a suitable compensation strategy exists.”*

### 7.3 Bats and Great Crested Newts

- i. Great crested newt and species of British bats are fully protected within UK Law under *Wildlife and Countryside Act 1981* (as amended) through their inclusion in Schedule 5. Under the Act, they are protected from:

- Intentional or reckless killing, injury, taking
- Damage to or destruction of or, obstruction of access to any place of shelter, breeding or rest
- Disturbance of an animal occupying a structure or place
- Possession or control (live or dead animals)
- Selling, bartering or exchange of these species, or parts of.

- i This law is reinforced by the UK's transposition of the EU Habitats Regulations under *The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. These Regulations also prohibit:
  - Deliberate killing, injuring or taking of great crested newt or bats
  - Deliberate disturbance of any great crested newt or bat species in such a way as to be significantly likely to affect their ability to survive, hibernate, migrate, breed, or rear or nurture their young; or the local distribution or abundance of that species
  - Damage or destruction of a breeding site or resting place
  - Possession or transport of great crested newt or bats or any other part of
- ii Under certain circumstances a licence may be granted by Natural England to permit activities that would otherwise constitute an offence. In relation to development, a scheme must have full planning permission before a licence application can be made.
- iii In addition, seven British bat species are listed as Species of Principal Importance (SPI) under the Natural Environment and Rural Communities (NERC) Act, 2006. These are barbastelle (*Barbastella barbastellus*), Bechstein's (*Myotis bechsteinii*), noctule (*Nyctalus noctula*), soprano pipistrelle (*Pipistrellus pygmaeus*), brown long-eared (*Plecotus auritus*), greater horseshoe (*Rhinolophus ferrumequinum*) and lesser horseshoe (*Rhinolophus hipposideros*).
- iv Under the National Planning Policy Framework 2021 the presence of any protected species is a material planning consideration. The Framework states that impacts arising from development proposals must be avoided where possible or adequately mitigated/compensated for and that opportunities for ecological enhancement should be sought.

## 7.4 Birds

- i The Wildlife and Countryside Act 1981 (as amended) is the Priority legislation affording protection to UK wild birds. Under this legislation all birds, their nests and eggs are protected by law and it is an offence, with certain exceptions, to recklessly or intentionally:
  - Kill, injure or take any wild bird
  - Take, damage or destroy the nest of any wild bird while it is in use or being built
  - Take or destroy the egg of any wild bird
- ii For birds listed on Schedule 1 of the Act, it is an offence to disturb any bird while it is building a nest, is at or near a nest with young; or disturb the dependant young of such a bird.
- iii Species listed in Annex 1 of the EU Birds Directive 1994 (e.g. barn owl) are required to have special conservation measures taken to preserve their habitats and sites to be classified as Special Protection Areas (SPAs) where appropriate.

## 7.5 Reptiles

- i All reptile species are partially protected under Schedule 5 (Sections 9(1) and 9(5)) of the Wildlife and Countryside Act 1981 (as amended). This legislation protects these animals from:
  - Reckless or intentional killing and injury
  - Selling, offering for sale, possessing or transporting for the purpose of the sale or publishing advertisements to buy or sell a protected species
- ii In addition to the above legislation, UK rare reptiles; sand lizards (*Lacerta agilis*) and smooth snakes (*Coronella austriaca*), are listed under The Conservation of Habitats and Species Regulations (2019). This makes it an offence to;
  - Capture, kill, injure and disturb

- Take or destroying eggs
  - Damage or destroy breeding/resting places
  - Obstruct access to resting places
  - Possess, advertise for sale, sell or transport for sale, live or dead (part or derivative)
- ii Where these animals are confirmed as present on land that is to be affected by development guidance recommends that:
- The animals should be protected from injury or killing during construction operations
  - Mitigation should be provided to maintain the conservation status of the species locally
  - Under the National Planning Policy Framework 2018 the presence of any protected species is a material planning consideration. The Framework states that impacts arising from development proposals must be avoided where possible or adequately mitigated/compensated for and that opportunities for ecological enhancement should be sought

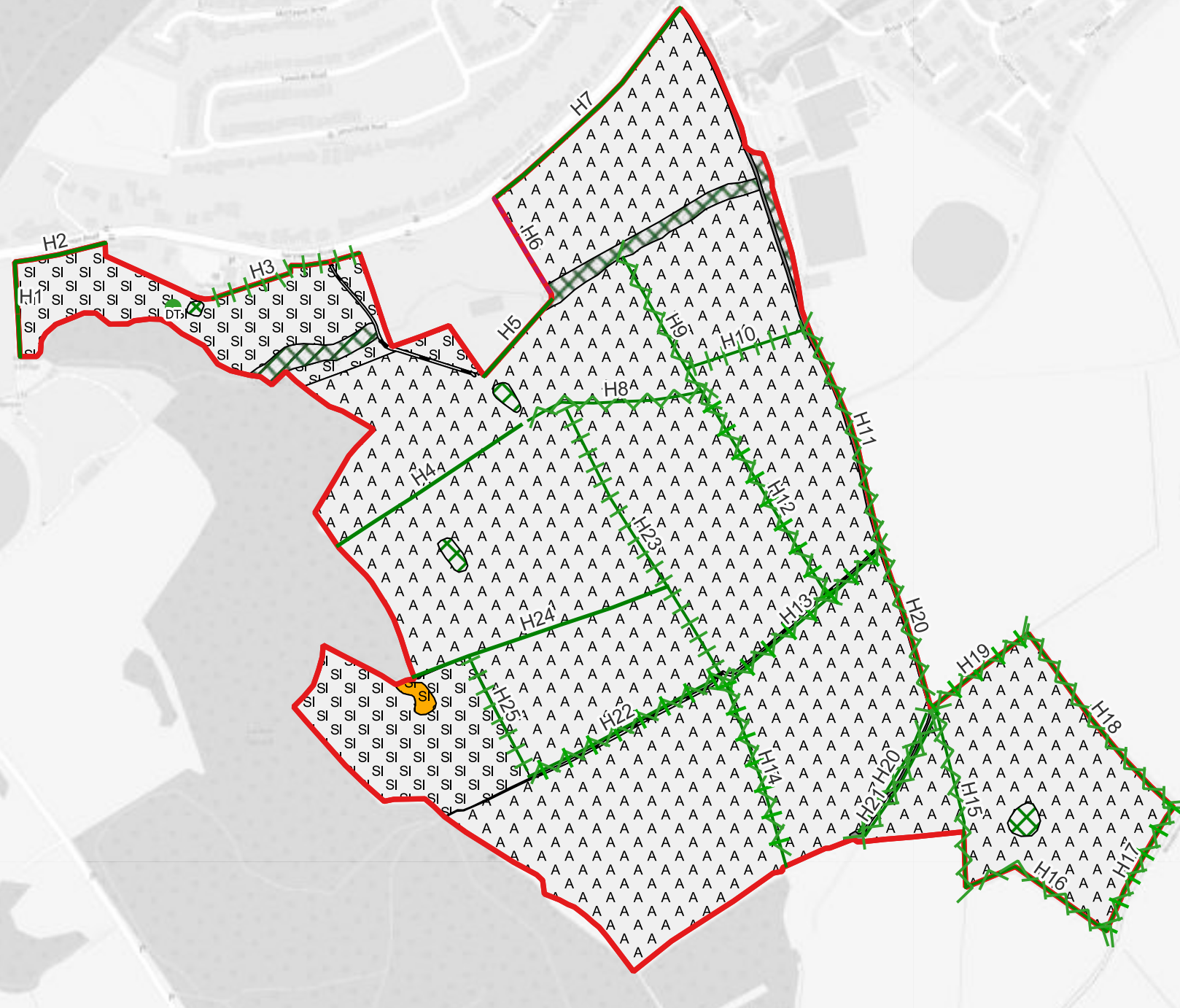
## 7.6 Badgers

- i Badgers (*Meles meles*) and their setts are protected by the Protection of Badgers Act 1992. This makes it an offence to:
- Intentionally capture, kill or injure a badger
  - Damage, destroy or block access to their setts
  - Disturb badgers in setts
  - Treat a badger cruelly
  - Deliberately send or intentionally allow a dog into a sett
  - Bait or dig for badgers.
- ii Case law for this species contains example prosecutions of imprisonment for six months and heavy fines.














## 7.7 Hedgehogs, Hare and Common Toads

- i Under the NERC Act 2006, the hedgehog (*Erinaceus europaeus*), hare (*Lepus europaeus*) and common toad (*Bufo bufo*) are categorised as a 'Species of Principal Importance' (SPI) for biodiversity. Furthermore, both are local biodiversity action plan species (LBAP) for Nottinghamshire. Listing as SPI reflects concerns that populations have suffered a rapid and sustained decline in the UK. As such, they are a material consideration during planning.

## Appendix 2: Phase 1 Habitat Survey Plan



**Key**

-  Site Boundary
-  A2.1 - Scrub - dense/continuous
-  B2.2 - Neutral grassland - semi-improved
-  B6 - Poor semi-improved grassland
-  J1.1 - Cultivated/disturbed land - arable
-  J4 - Bare ground
-  J6 - Hard Standing
-  J2.1.1 - Intact hedge - native species-rich
-  J2.1.2 - Intact hedge - species-poor
-  J2.1.3 - Intact hedge - ornamental
-  J2.3.1 - Hedge with trees - native species-rich
-  J2.3.2 - Hedge with trees - species-poor
-  DT - Deciduous Tree



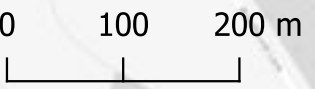
Client:  
Davidsons Developments and Redrow Homes

Project:  
Southwest Loughborough

Drawing Title:  
Phase 1 Habitat Plan

|                                    |                     |
|------------------------------------|---------------------|
| Drawing No.<br><b>RSE_5960_F03</b> | Rev:<br><b>V3</b>   |
| Drawn By:<br>LG                    | Date:<br>24/06/2022 |
| Scale @A4:<br>1:6500               |                     |

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### Appendix 3: Illustrative Masterplan



- Key**
- Application site boundary
  - Existing (retained) trees & hedgerow
  - Indicative proposed planting
  - Open space
  - Visual links
  - Potential for equipped play/LEAP
  - Forest Meadows
  - Indicative surface water attenuation basin
  - Indicative development cell - Low Density
  - Indicative development cell - Low - Medium Density
  - Indicative development cell - Medium Density

**Land Budget**

|                        |                        |
|------------------------|------------------------|
| - Green Infrastructure | 43.62 ha/ 107.79 acres |
| - Residential Area     | 15.16 ha/ 37.46 acres  |



Project: Nanpantan Forest Suburb  
Loughborough South

Drawing Title: Masterplan

|              |               |     |
|--------------|---------------|-----|
| Project Code | Drawing No    | Rev |
| n1312        | 005           | G   |
| Date         | Drawing Scale |     |
| 23.08.2021   | 1:2,500 @ A1  |     |



## Appendix 4: Condition assessments

### Hedgerows and Line of Trees

#### H1 Hedgerow and line of Trees (Native Hedgerow)

A1 Height >1.5 m average along length Pass Ranging between 1.5 & 2.5m

A2 Width >1.5 m average along length Pass

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') Pass 1 gap 3m in width

B2 Gaps make up <10% of total length and no canopy gaps >5m Pass

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) Pass

C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground Pass Cleavers and dock

D1 >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species Fail

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities Pass

*Condition Score: Good*

#### H2 Hedgerow and line of Trees (Native hedgerow)

A1 Height >1.5 m average along length Pass

A2 Width >1.5 m average along length Pass

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') Pass

B2 Gaps make up <10% of total length and no canopy gaps >5m Pass

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) Pass

C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground Fail

D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species Pass

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities Pass

*Condition Score: Good*

### H3 Hedgerow and line of Trees (Native hedgerow)

|  |      |   |
|--|------|---|
| A1 Height >1.5 m average along length  | Pass | Alongside the houses some areas are less than 1.5m                          |
| A2 Width >1.5 m average along length   | Fail | There are scrub and trees in garden behind the hedge, but the hedge is thin |
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees')   | Pass |   |
| B2 Gaps make up <10% of total length and no canopy gaps >5m  | Pass |   |
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass |   |
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground                          | Fail | Nettle and cleaver abundant around hedge base                               |
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species         | Pass |   |
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities   | Fail | Excessive trimming and areas where cuttings had been left                   |

*Condition Score: Moderate (only fails in one functional group)*

### H4 Hedgerow and line of Trees (Native hedgerow associated with bank or ditch)

Unmanaged hedgerow that is becoming a line of trees. Gaps present along the length. Hedgerow also has a small dry ditch

|  |      |  |
|--|------|--|
| A1 Height >1.5 m average along length  | Pass |  |
| A2 Width >1.5 m average along length   | Pass |  |
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees')   | Fail |  |
| B2 Gaps make up <10% of total length and no canopy gaps >5m  | Fail |  |
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass |  |
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground                          | Fail |  |
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species         | Pass |  |

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities Pass

*Condition Score: Moderate (only fails in one functional group)*

#### **H5 Hedgerow and line of Trees (Native hedgerow)**

A1 Height >1.5 m average along length Pass Approximately 3m

A2 Width >1.5 m average along length Pass Approximately 1.5m

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') Pass

B2 Gaps make up <10% of total length and no canopy gaps >5m Pass

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) Pass Margin of arable field

C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground Fail Mostly nettle, cleaver and doc leaf

D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species Pass

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities Pass

*Condition Score: Good*

#### **H6 Hedgerow and line of Trees (Non-native ornamental hedgerow)**

*Condition Score: Poor no assessment needed*

#### **H7 Hedgerow and line of Trees (Native hedgerow)**

A1 Height >1.5 m average along length Pass 1.5-2m

A2 Width >1.5 m average along length Pass 1.5 m average

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') Pass

B2 Gaps make up <10% of total length and no canopy gaps >5m Pass

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) Fail Less than 1m between hedge and base and arable along the majority

C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground Fail Nettle and Cleaver

|  |   |
|--|---|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species         | Pass  |
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities   | Pass  |
| <i>Condition Score: Moderate (only fails in one functional group)</i>  |   |
| <b>H8 Hedgerow and line of Trees (Native hedgerow associated with bank or ditch)</b>   | Wet ditch runs along hedgerow length. X3 semi mature trees. (Species: English oak, elder, ash, crack willow, hawthorn, field maple, dog rose, crab apple) |
| A1 Height >1.5 m average along length  | Pass  |
| A2 Width >1.5 m average along length   | Pass  |
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees')   | Pass  |
| B2 Gaps make up <10% of total length and no canopy gaps >5m  | Pass  |
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass  |
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground                          | Fail  |
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species         | Pass  |
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities   | Pass  |
| <i>Condition Score: Good</i>   |   |
| <b>H9 Hedgerow and line of Trees (Native species rich hedgerow with trees)</b>   |   |
| A1 Height >1.5 m average along length  | Pass  |
| A2 Width >1.5 m average along length   | Pass  |
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees')   | Pass  |
| B2 Gaps make up <10% of total length and no canopy gaps >5m  | Fail  |
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass  |

C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground

Fail

D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species

Pass

Small patch of rosebay willow herb

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities

Pass

*Condition Score: Good*

### **H10 Hedgerow and line of Trees (Native hedgerow)**

Ditch with water on North

A1 Height >1.5 m average along length

Pass

A2 Width >1.5 m average along length

Fail

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees')

Pass

B2 Gaps make up <10% of total length and no canopy gaps >5m

Fail

Lots of gaps on eastern end

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least)

Fail

Some areas are 1m but not 90%

C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground

Fail

Nettles

D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species

Fail

Over 10% horsetail herb

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities

Pass

*Condition Score: Poor (score of 3)*

### **H11 Hedgerow and line of Trees (Native species rich hedgerow)**

A1 Height >1.5 m average along length

Pass

Starts at approximately at 1.5m but increase in height

A2 Width >1.5 m average along length

Pass

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees')

Pass

B2 Gaps make up <10% of total length and no canopy gaps >5m

Pass

One gap less than 5m

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least)

Pass

Only present on one side but roughly 1m between arable

|   |      |                                 |
|---|------|---------------------------------|
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground | Pass | Some present but mostly grasses |
|---|------|---------------------------------|

|  |      |  |
|--|------|--|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species | Pass |  |
|--|------|--|

|  |      |  |
|--|------|--|
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities | Pass |  |
|--|------|--|

*Condition Score: Good*

#### **H11 Hedgerow and line of Trees (Native species rich hedgerow)**

|                                       |      |  |
|---------------------------------------|------|--|
| A1 Height >1.5 m average along length | Pass | Starts at just about 1.5 but gets taller |
|---------------------------------------|------|--|

|                                      |      |  |
|--------------------------------------|------|--|
| A2 Width >1.5 m average along length | Pass |  |
|--------------------------------------|------|--|

|  |      |  |
|--|------|--|
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') | Pass |  |
|--|------|--|

|   |      |                          |
|---|------|--------------------------|
| B2 Gaps make up <10% of total length and no canopy gaps >5m | Pass | One gap but less than 5m |
|---|------|--------------------------|

|  |      |   |
|--|------|---|
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass | Only present one side but roughly 1m between arable |
|--|------|---|

|   |      |                                 |
|---|------|---------------------------------|
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground | Pass | Some present but mostly grasses |
|---|------|---------------------------------|

|  |      |  |
|--|------|--|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species | Pass |  |
|--|------|--|

|  |      |  |
|--|------|--|
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities | Pass |  |
|--|------|--|

*Condition Score: Good*

#### **H12 Hedgerow and line of Trees (Native species rich hedgerow with trees - associated with bank or ditch)**

Predominantly hawthorn along length with 7 species recorded. Wet ditch present as well as a large gap for farm access

|                                       |      |  |
|---------------------------------------|------|--|
| A1 Height >1.5 m average along length | Pass |  |
|---------------------------------------|------|--|

|                                      |      |  |
|--------------------------------------|------|--|
| A2 Width >1.5 m average along length | Pass |  |
|--------------------------------------|------|--|

|  |      |  |
|--|------|--|
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') | Pass |  |
|--|------|--|

|   |      |  |
|---|------|--|
| B2 Gaps make up <10% of total length and no canopy gaps >5m | Pass | 4m gap in hedgerow for farm access but does not make up >10% of total length |
|---|------|--|

|  |      |  |
|--|------|--|
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass |  |
|--|------|--|

C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground

Fail

D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species

Pass

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities

Pass

*Condition Score: Good*

**H13 Hedgerow and line of Trees (Native species rich hedgerow with trees - associated with bank or ditch)**

Species rich with many trees and a dry ditch

A1 Height >1.5 m average along length

Pass

A2 Width >1.5 m average along length

Pass

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees')

Pass

B2 Gaps make up <10% of total length and no canopy gaps >5m

Fail

Gap over 5m with bramble and nettle and vetch

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least)

Pass

C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground

Pass

Mostly grasses

D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species

Pass

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities

Pass

*Condition Score: Good*

**H14 Hedgerow and line of Trees (Native hedgerow with trees - associated with bank or ditch)**

Blackthorn, hawthorn, elder, oak, hazel, apple, willow, only 2x trees, dry ditch

A1 Height >1.5 m average along length

Pass

A2 Width >1.5 m average along length

Fail

Some areas very thin

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees')

Fail

Hawthorn very leggy in parts

B2 Gaps make up <10% of total length and no canopy gaps >5m

Pass

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least)

Pass

|   |      |                            |
|---|------|----------------------------|
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground | Fail | Nettles and docks dominant |
|---|------|----------------------------|

|  |      |  |
|--|------|--|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species | Pass |  |
|--|------|--|

|  |      |  |
|--|------|--|
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities | Pass |  |
|--|------|--|

*Condition Score: Moderate*

**H15 Hedgerow and line of Trees (Native species rich hedgerow)**

X7 species. 3m gap in hedgerow for farm access.

|                                       |      |  |
|---------------------------------------|------|--|
| A1 Height >1.5 m average along length | Pass |  |
|---------------------------------------|------|--|

|                                      |      |  |
|--------------------------------------|------|--|
| A2 Width >1.5 m average along length | Pass |  |
|--------------------------------------|------|--|

|  |      |  |
|--|------|--|
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') | Pass |  |
|--|------|--|

|   |      |   |
|---|------|---|
| B2 Gaps make up <10% of total length and no canopy gaps >5m | Fail | Gap in hedgerow for farm access plus several canopy gaps present. |
|---|------|---|

|  |      |  |
|--|------|--|
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass |  |
|--|------|--|

|   |      |   |
|---|------|---|
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground | Pass | Some nettles present but mainly grasses |
|---|------|---|

|  |      |  |
|--|------|--|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species | Pass |  |
|--|------|--|

|  |      |  |
|--|------|--|
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities | Pass |  |
|--|------|--|

*Condition Score: Good*

**H16 Hedgerow and line of Trees (Native species rich hedgerow)**

|                                       |      |  |
|---------------------------------------|------|--|
| A1 Height >1.5 m average along length | Pass |  |
|---------------------------------------|------|--|

|                                      |      |  |
|--------------------------------------|------|--|
| A2 Width >1.5 m average along length | Pass |  |
|--------------------------------------|------|--|

|  |      |  |
|--|------|--|
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') | Pass |  |
|--|------|--|

|   |      |                                |
|---|------|--------------------------------|
| B2 Gaps make up <10% of total length and no canopy gaps >5m | Fail | Lots of gaps present in canopy |
|---|------|--------------------------------|

|  |      |  |
|--|------|--|
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass |  |
|--|------|--|



C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground Pass

D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species Pass

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities Pass

*Condition Score: Good*

**H17 Hedgerow and line of Trees (Native species rich hedgerow with trees)**

Species hedgerow along track to far northeast. Several mature trees present along length

A1 Height >1.5 m average along length Pass

A2 Width >1.5 m average along length Pass

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') Pass

B2 Gaps make up <10% of total length and no canopy gaps >5m Pass

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) Pass

C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground Pass

D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species Pass

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities Pass

*Condition Score: Good*

**H18 Hedgerow and line of Trees (Native species rich hedgerow)**

A1 Height >1.5 m average along length Pass

A2 Width >1.5 m average along length Pass

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') Pass

B2 Gaps make up <10% of total length and no canopy gaps >5m Pass

A little gappy in parts but overall less than 10%

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) Pass

|   |      |                                   |
|---|------|-----------------------------------|
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground | Fail | Lots of docks and nettles present |
|---|------|-----------------------------------|

|  |      |  |
|--|------|--|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species | Pass |  |
|--|------|--|

|  |      |  |
|--|------|--|
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities | Pass |  |
|--|------|--|

*Condition Score: Good*

**H19 Hedgerow and line of Trees (Native species rich hedgerow - associated with bank or ditch)**

Species rich (x6 species) with dry ditch present

|                                       |      |  |
|---------------------------------------|------|--|
| A1 Height >1.5 m average along length | Pass |  |
|---------------------------------------|------|--|

|                                      |      |  |
|--------------------------------------|------|--|
| A2 Width >1.5 m average along length | Pass |  |
|--------------------------------------|------|--|

|  |      |  |
|--|------|--|
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') | Pass |  |
|--|------|--|

|   |      |  |
|---|------|--|
| B2 Gaps make up <10% of total length and no canopy gaps >5m | Pass |  |
|---|------|--|

|  |      |  |
|--|------|--|
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass |  |
|--|------|--|

|   |      |                         |
|---|------|-------------------------|
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground | Fail | Lots of nettles present |
|---|------|-------------------------|

|  |      |  |
|--|------|--|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species | Pass |  |
|--|------|--|

|  |      |  |
|--|------|--|
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities | Pass |  |
|--|------|--|

*Condition Score: Good*

**H20 Hedgerow and line of Trees (Native species rich hedgerow with trees)**

|                                       |      |  |
|---------------------------------------|------|--|
| A1 Height >1.5 m average along length | Pass |  |
|---------------------------------------|------|--|

|                                      |      |  |
|--------------------------------------|------|--|
| A2 Width >1.5 m average along length | Pass |  |
|--------------------------------------|------|--|

|  |      |                                       |
|--|------|---------------------------------------|
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') | Fail | >5m gap present along hedgerow length |
|--|------|---------------------------------------|

|   |      |  |
|---|------|--|
| B2 Gaps make up <10% of total length and no canopy gaps >5m | Fail |  |
|---|------|--|

|  |      |  |
|--|------|--|
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass |  |
|--|------|--|

|   |      |                                   |
|---|------|-----------------------------------|
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground | Fail | Lots of docks and nettles present |
|---|------|-----------------------------------|

|  |      |  |
|--|------|--|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species | Pass |  |
|--|------|--|

|  |      |  |
|--|------|--|
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities | Pass |  |
|--|------|--|

*Condition Score: Moderate (Only fails in one functional group)*

**H21 Hedgerow and line of Trees (Native species rich hedgerow)**

Six species present (Hawthorn, blackthorn, maple, elder, dogrose, oak). No trees

|                                       |      |  |
|---------------------------------------|------|--|
| A1 Height >1.5 m average along length | Pass |  |
|---------------------------------------|------|--|

|                                      |      |  |
|--------------------------------------|------|--|
| A2 Width >1.5 m average along length | Pass |  |
|--------------------------------------|------|--|

|  |      |  |
|--|------|--|
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') | Pass |  |
|--|------|--|

|   |      |  |
|---|------|--|
| B2 Gaps make up <10% of total length and no canopy gaps >5m | Pass |  |
|---|------|--|

|  |      |  |
|--|------|--|
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass |  |
|--|------|--|

|   |      |                         |
|---|------|-------------------------|
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground | Fail | Lots of nettles present |
|---|------|-------------------------|

|  |      |  |
|--|------|--|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species | Pass |  |
|--|------|--|

|  |      |  |
|--|------|--|
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities | Pass |  |
|--|------|--|

*Condition Score: Good*

**H22 Hedgerow and line of Trees (Native species rich hedgerow with trees)**

A few semi-mature ash trees plus hawthorn, elder, dogrose and sycamore

|                                       |      |  |
|---------------------------------------|------|--|
| A1 Height >1.5 m average along length | Pass |  |
|---------------------------------------|------|--|

|                                      |      |  |
|--------------------------------------|------|--|
| A2 Width >1.5 m average along length | Pass |  |
|--------------------------------------|------|--|

|  |      |  |
|--|------|--|
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') | Pass |  |
|--|------|--|

|   |      |  |
|---|------|--|
| B2 Gaps make up <10% of total length and no canopy gaps >5m | Pass |  |
|---|------|--|

|  |      |  |
|--|------|--|
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass |  |
|--|------|--|

|   |      |   |
|---|------|---|
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground | Fail | Lots of nettles and some thistles present |
|---|------|---|

|  |      |  |
|--|------|--|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species | Pass |  |
|--|------|--|

|  |      |  |
|--|------|--|
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities | Pass |  |
|--|------|--|

*Condition Score: Good*

### **H23 Hedgerow and line of Trees (Native species rich hedgerow with trees)**

|                                       |      |  |
|---------------------------------------|------|--|
| A1 Height >1.5 m average along length | Pass |  |
|---------------------------------------|------|--|

|                                      |      |  |
|--------------------------------------|------|--|
| A2 Width >1.5 m average along length | Pass |  |
|--------------------------------------|------|--|

|  |      |  |
|--|------|--|
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') | Pass |  |
|--|------|--|

|   |      |  |
|---|------|--|
| B2 Gaps make up <10% of total length and no canopy gaps >5m | Pass |  |
|---|------|--|

|  |      |  |
|--|------|--|
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least) | Pass |  |
|--|------|--|

|   |      |   |
|---|------|---|
| C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground | Fail | Lots of nettles and some thistles and docks present |
|---|------|---|

|  |      |  |
|--|------|--|
| D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species | Pass |  |
|--|------|--|

|  |      |  |
|--|------|--|
| D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities | Pass |  |
|--|------|--|

*Condition Score: Good*

### **H24 Hedgerow and line of Trees (Native species rich hedgerow with trees)**

|                                       |      |  |
|---------------------------------------|------|--|
| A1 Height >1.5 m average along length | Pass |  |
|---------------------------------------|------|--|

|                                      |      |  |
|--------------------------------------|------|--|
| A2 Width >1.5 m average along length | Pass |  |
|--------------------------------------|------|--|

|  |      |  |
|--|------|--|
| B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees') | Fail | Large gaps present towards western end of hedgerow being comprised of nettle and low-lying bramble |
|--|------|--|

|   |      |  |
|---|------|--|
| B2 Gaps make up <10% of total length and no canopy gaps >5m | Fail | Large gaps present towards western end of hedgerow being comprised of nettle and low-lying bramble |
|---|------|--|

|  |      |  |
|--|------|--|
| C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of | Pass |  |
|--|------|--|

length is present on one side of the hedge (at least)

C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground      Fail      Lots of nettle present

D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species      Pass

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities      Pass

*Condition Score: Moderate (failing one functional group)*

**H25 Hedgerow and line of Trees (Native hedgerow with trees)**

Ash trees with blackthorn, hawthorn and dogrose

A1 Height >1.5 m average along length      Pass

A2 Width >1.5 m average along length      Pass

B1 Gap between ground and base of canopy <0.5m for >90% of length (unless 'line of trees')      Pass

B2 Gaps make up <10% of total length and no canopy gaps >5m      Fail

C1 >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length is present on one side of the hedge (at least)      Pass

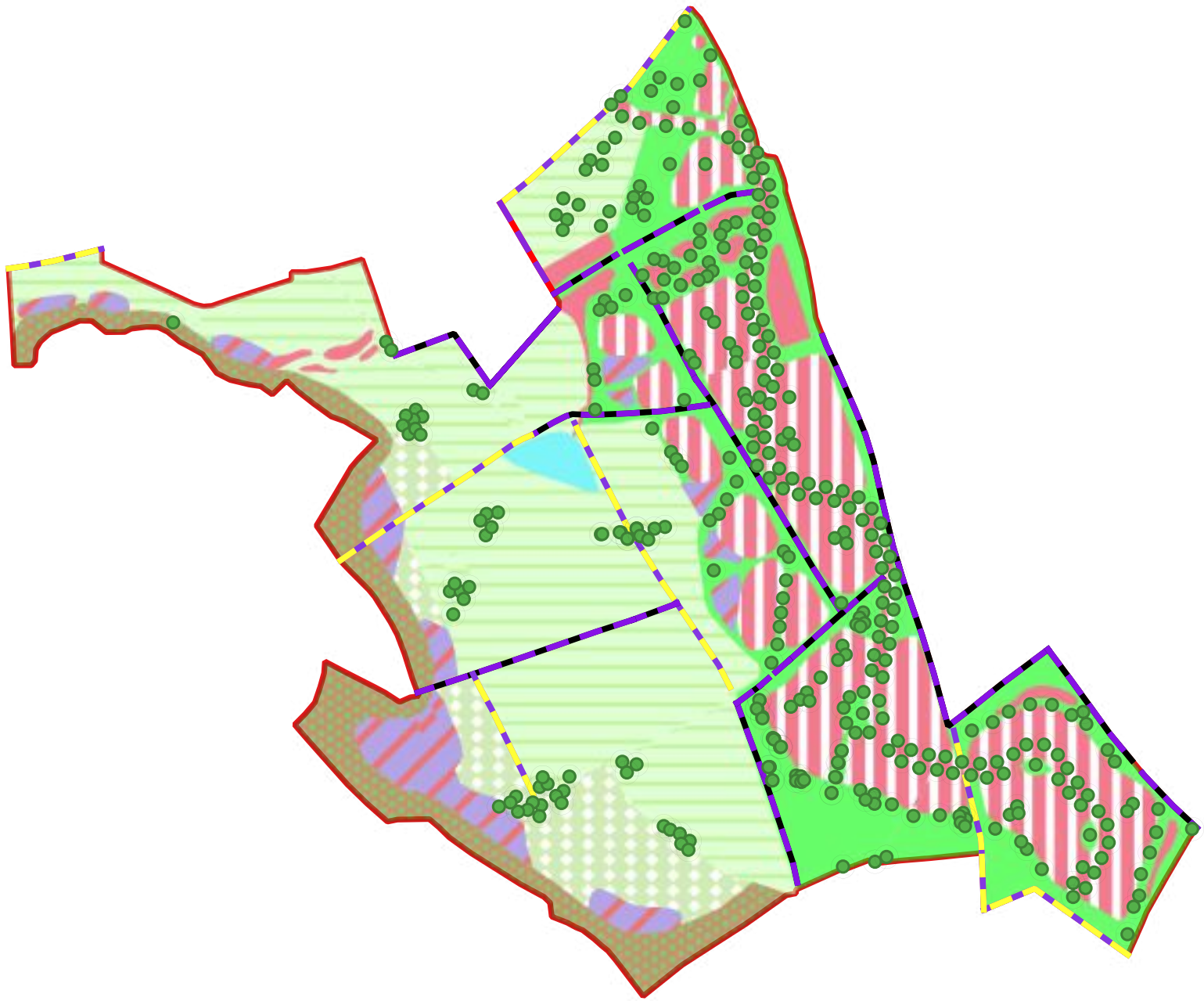
C2 Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground      Fail





D1 Invasive and neophyte species - >90% of the hedgerow and undisturbed ground is free of invasive non-native and neophyte species      Pass

D2 >90% of the hedgerow or undisturbed ground is free of damage caused by human activities      Pass

*Condition Score: Good (score of six and does not fail in any functional group)*

## Appendix 5: Visualisation plan (for enhancements)



- Key**
-  Red Line Boundary
  -  Proposed Medium
  -  Hedge Ornamental Non Native
  -  Native Hedgerow
  -  Native Hedgerow - Associated with bank or ditch
  -  Native Hedgerow with trees
  -  Native Species Rich Hedgerow
  -  Native Species Rich Hedgerow - Associated with bank or ditch
  -  Native Species Rich Hedgerow with trees
  -  Native Species Rich Hedgerow with trees - Associated with bank or ditch
  -  Developed land; sealed surface
  -  Mixed scrub
  -  Modified grassland
  -  Other lowland acid grassland
  -  Other neutral grassland
  -  Other woodland; mixed
  -  Ponds (Non-Priority Habitat)
  -  Sustainable urban drainage feature



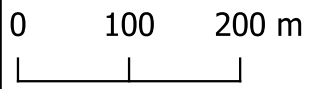
Client:  
Davidsons Developments and Redrow Homes

Project:  
Southwest Loughborough

Drawing Title:  
Biodiversity Net Gain; Proposed Habitat Plan

|                |            |
|----------------|------------|
| Drawing No.    | Rev:       |
| RSE_5960_BNG02 | V4         |
| Drawn By:      | Date:      |
| LG             | 24/06/2022 |
| Scale @A4:     |            |
| 1:6800         |            |

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## Appendix 6: Protected/Notable/Invasive Species Records

| Common Name         | Scientific Name                  | Records   | Conservation Status   |
|---------------------|----------------------------------|---|---|
| <b>Amphibians</b>   |                                  |   |   |
| Common toad         | <i>Bufo bufo</i>                 | 11 records; closest record 435m SW  | NERC <sup>7</sup> , Partial Protection under WCA <sup>8</sup> |
| Common frog         | <i>Rana temporaria</i>           | 15 records; closest record 440m E   | Partial protection under WCA                                  |
| Smooth newt         | <i>Lissotriton vulgaris</i>      | 11 records; closest record 0.6km E  | Partial protection under WCA                                  |
| Great crested newt  | <i>Triturus cristatus</i>        | 6 records; closest record 0.7km W   | EPS <sup>9</sup> , NERC, WCA (5) <sup>10</sup>                |
| Palmate newt        | <i>Lissotriton helveticus</i>    | 17 records; closest record 1.7km S  | Partial protection under WCA                                  |
| <b>Mammal</b>       |                                  |   |   |
| Eurasian badger     | <i>Meles meles</i>               | 132 records within 2km of the site.   | PBA <sup>11</sup>   |
| Common pipistrelle  | <i>Pipistrellus pipistrellus</i> | 163 records; closest record 1m S<br>4 roost records; closest record 480m W    | EPS, WCA  |
| Soprano pipistrelle | <i>Pipistrellus pygmaeus</i>     | 93 records; closest record 1m S   | EPS, WCA  |
| Myotis sp.          | <i>Myotis sp.</i>                | 82 records; closest record 15m NE<br>2 roost records; closest record 0.8km SW | EPS, WCA  |
| European otter      | <i>Lutra lutra</i>               | 2 records; closest record 20m N   | EPS, WCA, NERC  |
| Pipistrelle sp.     | <i>Pipistrellus sp.</i>          | 12 records; closest record 35m E<br>10 roost records; closest record 0.5km N  | EPS, WCA  |
| Pine martin         | <i>Martes martes</i>             | 1 record, 85m SW  | NERC  |

<sup>7</sup> NERC – Species of Principle Importance under Section 41 of the Natural Environment Rural Communities Act (2006) Species of Principal Conservation Importance; UKBAP & LBAP.

<sup>8</sup> WCA – Wildlife & Countryside Act (1981) Section 5 protecting against trade or sale of species.

<sup>9</sup> EPS – European Protected Species - protected by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

<sup>10</sup> WCA (5) – Schedule 5 protected species - Wildlife & Countryside Act (1981).

<sup>11</sup> PBA – Protection of Badgers Act 1992



| Common Name          | Scientific Name                 | Records   | Conservation Status              |
|----------------------|---------------------------------|---|----------------------------------|
| Brown long-eared bat | <i>Plecotus auritus</i>         | 36 records; closest record 95m W<br>48 roost records; closest record 415m W | EPS, WCA, NERC                   |
| Noctule              | <i>Nyctalus noctula</i>         | 57 records; closest record 95m W  | EPS, WCA, NERC                   |
| Nyctalus sp.         | <i>Nyctalus sp.</i>             | 22 records; closest record 100m W   | EPS, WCA, NERC                   |
| Daubenton's bat      | <i>Myotis daubentonii</i>       | 3 records; closest record 140m SW   | EPS, WCA                         |
| Western barbastelle  | <i>Barbastella barbastellus</i> | 1 record, 140m SW   | EPS, WCA, NERC                   |
| Bat sp.              | Chiroptera sp.                  | 28 records; closest record 475m NE<br>4 roost records; closest 300m N       | EPS, WCA                         |
| Brown hare           | <i>Lepus europaeus</i>          | 19 records; closest record 475m NE  | NERC                             |
| European hedgehog    | <i>Erinaceus europaeus</i>      | 24 records; closest record 0.5km NE   | NERC                             |
| Leisler's bat        | <i>Nyctalus leisleri</i>        | 12 records; closest record 0.7km SW   | EPS, WCA                         |
| Natterer's bat       | <i>Myotis nattereri</i>         | 1 record (roost), 0.8km SW  | EPS, WCA                         |
| Brandt's bat         | <i>Myotis brandti</i>           | 2 roost records; closest record 0.8km SW                                    | EPS, WCA                         |
| <b>Birds</b>         |                                 |   |                                  |
| Bullfinch            | <i>Pyrrhula pyrrhula</i>        | 233 records; closest record 120m SE   | BoCCAmber <sup>12</sup> , NERC   |
| Dunnock              | <i>Prunella modularis</i>       | 243 records; closest record 120m SE   | BoCCAmber                        |
| Kingfisher           | <i>Alcedo atthis</i>            | 7 records; closest record 120m SE   | BoCCAmber, WCA (1) <sup>13</sup> |
| Linnet               | <i>Linaria cannabina</i>        | 80 records; closest record 120m SE  | BoCCRed, NERC                    |

<sup>12</sup> BoCC - Birds of Conservation Concern 5, 2021 - split in to four categories of conservation importance - Red, Amber, Green and Black. Red is the highest conservation priority, with species needing urgent action. Amber is the next most critical group, followed by green. Black represents species that no longer breed within the British Isles.

<sup>13</sup> WCA (1) - Schedule 1 Wildlife and Countryside Act 1981 (as amended).

| Common Name               | Scientific Name                 | Records                             | Conservation Status |
|---------------------------|---------------------------------|-------------------------------------|---------------------|
| Marsh tit                 | <i>Poecile palustris</i>        | 89 records; closest record 120m SE  | BoCCRed, NERC       |
| Peregrine                 | <i>Falco peregrinus</i>         | 60 records; closest record 120m SE  | WCA (1)             |
| Skylark                   | <i>Alauda arvensis</i>          | 79 records; closest record 120m SE  | BoCCRed, NERC       |
| Cuckoo                    | <i>Cuculus canorus</i>          | 106 records; closest record 120m SE | BoCCRed, NERC       |
| Fieldfare                 | <i>Turdus pilaris</i>           | 173 records; closest record 120m SE | BoCCRed, WCA (1)    |
| Lesser redpoll            | <i>Acanthis cabaret</i>         | 186 records; closest record 120m SE | BoCCRed, NERC       |
| Red kite                  | <i>Milvus milvus</i>            | 45 records; closest record 120m SE  | WCA (1)             |
| Redwing                   | <i>Turdus iliacus</i>           | 214 records; closest record 120m SE | BoCCAmber, WCA (1)  |
| Reed bunting              | <i>Emberiza schoeniclus</i>     | 14 records; closest record 120m SE  | BoCCAmber, NERC     |
| Greylag goose             | <i>Anser anser</i>              | 10 records; closest record 215m SW  | BoCCAmber, WCA (1)  |
| Brambling                 | <i>Fringilla montifringilla</i> | 257 records; closest record 295m SW | WCA (1)             |
| Common crossbill          | <i>Loxia curvirostra</i>        | 80 records; closest record 295m SW  | WCA (1)             |
| Grasshopper warbler       | <i>Locustella naevia</i>        | 5 records; closest record 295m SW   | BoCCRed, NERC       |
| House martin              | <i>Delichon urbicum</i>         | 67 records; closest record 330m W   | BoCCRed             |
| Barn owl                  | <i>Tyto alba</i>                | 2 records; closest record 330m W    | WCA (1)             |
| Hen harrier               | <i>Circus cyaneus</i>           | 3 records; closest record 330m W    | BoCCRed, WCA (1)    |
| Lesser spotted woodpecker | <i>Dryobates minor</i>          | 11 records; closest record 330m W   | BoCCRed, NERC       |
| Firecrest                 | <i>Regulus ignicapilla</i>      | 2 records; closest record 355m SW   | WCA (1)             |
| Grey partridge            | <i>Perdix perdix</i>            | 2 records; closest record 355m SW   | BoCCRed, NERC       |
| Herring gull              | <i>Larus argentatus</i>         | 23 records; closest record 355m SW  | BoCCRed, NERC       |

| Common Name        | Scientific Name                      | Records                             | Conservation Status |
|--------------------|--------------------------------------|-------------------------------------|---------------------|
| Red-throated diver | <i>Gavia stellata</i>                | 22 records; closest record 355m SW  | WCA (1)             |
| House sparrow      | <i>Passer domesticus</i>             | 94 records; closest record 385m SE  | BoCCRed, NERC       |
| Hobby              | <i>Falco subbuteo</i>                | 27 records; closest record 0.6km SE | WCA (1)             |
| Lapwing            | <i>Vanellus vanellus</i>             | 7 records; closest record 0.6km SE  | BoCCRed, NERC       |
| Whimbrel           | <i>Numenius phaeopus</i>             | 1 record, 0.6km SE                  | BoCCRed, WCA (1)    |
| Hoopoe             | <i>Upupa epops</i>                   | 12 records; closest record 0.9km NE | WCA (1)             |
| Osprey             | <i>Pandion haliaetus</i>             | 2 records; closest record 0.9km E   | BoCCAmber, WCA (1)  |
| Wryneck            | <i>Jynx torquilla</i>                | 1 record, 1.1km NE                  | BoCCBlack, WCA (1)  |
| Black redstart     | <i>Phoenicurus ochruros</i>          | 2 records; closest record 1.4km E   | BoCCAmber, WCA (1)  |
| Arctic skua        | <i>Stercorarius parasiticus</i>      | 2 records; closest record 1.5km SW  | BoCCRed             |
| Curlew             | <i>Numenius arquata</i>              | 18 records; closest record 1.5km SW | BoCCRed, NERC       |
| Hawfinch           | <i>Coccothraustes coccothraustes</i> | 10 records; closest record 1.5km SW | BoCCRed, NERC       |
| Lapland bunting    | <i>Calcarius lapponicus</i>          | 1 record, 1.5km SW                  | BoCCAmber, WCA (1)  |
| Marsh harrier      | <i>Circus aeruginosus</i>            | 1 record, 1.5km SW                  | BoCCAmber, WCA (1)  |
| Merlin             | <i>Falco columbarius</i>             | 5 records; closest record 1.5km SW  | BoCCRed, WCA (1)    |
| Ring ouzel         | <i>Turdus torquatus</i>              | 33 records; closest record 1.5km SW | BoCCRed, NERC       |
| Tundra swan        | <i>Cygnus columbianus</i>            | 2 records; closest record 1.5km SW  | WCA (1)             |
| Whooper swan       | <i>Cygnus cygnus</i>                 | 1 record, 1.5km SW                  | BoCCAmber, WCA (1)  |
| Woodlark           | <i>Lullula arborea</i>               | 9 records; closest record 1.5km SW  | WCA (1), NERC       |
| Nightjar           | <i>Caprimulgus europaeus</i>         | 2 records; closest record 1.6km S   | BoCCAmber, NERC     |
| Snow bunting       | <i>Plectrophenax nivalis</i>         | 6 records; closest record 1.9km S   | BoCCAmber, WCA (1)  |

| Common Name           | Scientific Name                  | Records                             | Conservation Status                |
|-----------------------|----------------------------------|-------------------------------------|------------------------------------|
| Redstart              | <i>Phoenicurus phoenicurus</i>   | 6 records; closest record 1.9km S   | BoCCAmber                          |
| <b>Reptile</b>        |                                  |                                     |                                    |
| Adder                 | <i>Vipera berus</i>              | 5 records; closest record 75m SE    | Partial protection under WCA, NERC |
| Common lizard         | <i>Zootoca vivipara</i>          | 15 records; closest record 0.5km NE | Partial protection under WCA, NERC |
| Slow worm             | <i>Anguis fragilis</i>           | 4 records; closest record 0.6km SW  | Partial protection under WCA, NERC |
| <b>Plants</b>         |                                  |                                     |                                    |
| Common mouse-ear      | <i>Cerastium fontanum</i>        | 8 records; closest record 170m S    | LBAP <sup>14</sup>                 |
| Bluebell              | <i>Hyacinthoides non-scripta</i> | 41 records; closest record 300m N   | WCA (8) <sup>15</sup>              |
| Columbine             | <i>Aquilegia vulgaris</i>        | 3 records; closest record 440m W    | LRPR <sup>16</sup>                 |
| Buck's-horn Plantain  | <i>Plantago coronopus</i>        | 3 records; closest record 0.6km S   | LRPR                               |
| Cornflower            | <i>Centaurea cyanus</i>          | 2 records; closest record 1.5km NE  | NERC                               |
| <b>Invertebrates</b>  |                                  |                                     |                                    |
| White-clawed crayfish | <i>Austropotamobius pallipes</i> | 1 record, 40m W                     | NERC                               |
| Oak hook-tip          | <i>Watsonalla binaria</i>        | 3 records; closest record 0.5km S   | NERC                               |
| September thorn       | <i>Ennomos erosaria</i>          | 1 record, 0.6km S                   | NERC                               |
| Feathered gothic      | <i>Tholera decimalis</i>         | 2 records; closest record 0.6km S   | NERC                               |
| Small square-spot     | <i>Diarsia rubi</i>              | 2 records; closest record 0.9km N   | NERC                               |
| Rustic                | <i>Hoplodrina blanda</i>         | 3 records; closest record 0.9km N   | NERC                               |

<sup>14</sup> LBAP – Species is included in Leicestershire and Rutlands Local Biodiversity Action Plan.

<sup>15</sup> WCA (8) - Schedule 8 Wildlife and Countryside Act 1981 (as amended): Protected plant species.

<sup>16</sup> LRPR – Locally Rare Plant Record.

| Common Name               | Scientific Name                 | Records                            | Conservation Status   |
|---------------------------|---------------------------------|------------------------------------|-----------------------|
| Dot moth                  | <i>Melanchra persicariae</i>    | 1 record, 1km E                    | NERC                  |
| Mottled rustic            | <i>Caradrina morpheus</i>       | 1 record, 1km E                    | NERC                  |
| Grey dagger               | <i>Acronicta psi</i>            | 2 records; closest record 1km E    | NERC                  |
| Centre-barred sallow      | <i>Atethmia centrago</i>        | 1 record, 1.2km NE                 | NERC                  |
| Blood-vein                | <i>Timandra comae</i>           | 2 records; closest record 1.2km NE | NERC                  |
| Dusky thorn               | <i>Ennomos fuscantaria</i>      | 2 records; closest record 1.2km NE | NERC                  |
| Buff ermine               | <i>Spilosoma lutea</i>          | 4 records; closest record 1.3km S  | NERC                  |
| Small phoenix             | <i>Ecliptopera silaceata</i>    | 2 records; closest record 1.5km SW | NERC                  |
| Shoulder-striped wainscot | <i>Leucania comma</i>           | 5 records; closest record 1.5km SW | NERC                  |
| Small heath               | <i>Coenonympha pamphilus</i>    | 9 records; closest record 1.5km NW | NERC                  |
| Ghost moth                | <i>Hepialus humuli</i>          | 3 records; closest record 1.6km S  | NERC                  |
| Broom moth                | <i>Ceramica pisi</i>            | 1 record, 1.7km SW                 | NERC                  |
| Green-brindled crescent   | <i>Allophyes oxyacanthae</i>    | 2 records; closest record 1.7km N  | NERC                  |
| Rosy minor                | <i>Litoligia literosa</i>       | 1 record, 1.7km SW                 | NERC                  |
| Purple emperor            | <i>Apatura iris</i>             | 3 records; closest record 1.8km S  | NERC                  |
| White-letter hairstreak   | <i>Satyrium w-album</i>         | 1 record, 2km S                    | NERC                  |
| <b>Fish</b>               |                                 |                                    |                       |
| Brown trout               | <i>Salmo trutta</i>             | 1 record, 0.5km SW                 | NERC                  |
| <b>Invasive Species</b>   |                                 |                                    |                       |
| Signal crayfish           | <i>Pacifastacus leniusculus</i> | 9 records; closest record 40m W    | WCA (9) <sup>17</sup> |

<sup>17</sup> WCA (9) - Schedule 9 Wildlife and Countryside Act 1981 (as amended).

| Common Name           | Scientific Name                  | Records                            | Conservation Status |
|-----------------------|----------------------------------|------------------------------------|---------------------|
| Chinese muntjac       | <i>Muntiacus reevesi</i>         | 26 records; closest record 70m SW  | WCA (9)             |
| Canada goose          | <i>Branta canadensis</i>         | 18 records; closest record 120m SE | WCA (9)             |
| Canadian waterweed    | <i>Elodea canadensis</i>         | 1 record, 170m S                   | WCA (9)             |
| Mandarin duck         | <i>Aix galericulata</i>          | 18 records; closest record 215m SW | WCA (9)             |
| Japanese knotweed     | <i>Reynoutria japonica</i>       | 5 records; closest record 0.5km NE | WCA (9)             |
| Cherry laurel         | <i>Prunus laurocerasus</i>       | 11 records; closest record 0.6km S | INNS                |
| Himalayan cotoneaster | <i>Cotoneaster simonsii</i>      | 1 record, 0.6km S                  | WCA (9)             |
| Montbretia            | <i>Crocsmia x crocosmiiflora</i> | 5 records; closest record 0.8km SW | WCA (9)             |
| Himalayan balsam      | <i>Impatiens glandulifera</i>    | 3 records; closest record 1km NW   | WCA (9)             |

## Appendix 7: Statutorily Designated Sites within 5km of Site Boundary

| Site Name                               | Designation        | Location                     | Brief Description   |
|---|--------------------|------------------------------|---|
| Beacon Hill, Hangingstone and Out Woods | SSSI <sup>18</sup> | Adjacent to western boundary | Beacon Hill and Out Woods provide some of the best habitat in Leicestershire for breeding birds. The Out Woods support one of the most interesting stands of ancient semi natural alder woodland in the county.   |
| Johnsons' Meadows                       | SSSI               | 2km SE                       | Johnsons' Meadows SSSI is of special interest for its nationally rare species-rich neutral grassland.   |
| Newhurst Quarry                         | SSSI               | 2km WNW                      | A site of national geological importance.   |
| Ives Head                               | SSSI               | 2.8km W                      | A site of national geological importance.   |
| Morley Quarry                           | LNR <sup>19</sup>  | 3.2km WNW                    | A series of disused stone quarries containing a pond which supports a large breeding toad ( <i>Bufo bufo</i> ) population as well as heath grassland.   |
| Swithland Wood and The Brand            | SSSI               | 3.4km SSE                    | The site includes some of the best remaining examples of oak-lime and alder woodland in Leicestershire and is representative of ancient woodland on somewhat acid, loamy soils in the English Midlands.   |
| Benscliffe Wood                         | SSSI               | 3.7km S                      | Benscliffe Wood contains outcrops of siliceous rocks which support one of the richest Saxicolous lichen floras in the East Midlands. More than thirty species of lichen have been recorded from a small area, all of them growing on preCambrian rocks of the Maplewell Series which are subjected to varying degrees of shading from the surrounding woodland and scrub.       |
| Buddon Wood and Swithland Reservoir     | SSSI               | 3.7km SE                     | Despite clear felling and quarrying activities Buddon Wood remains one of the best birch-oak woodlands in Leicestershire of a type not found elsewhere in the East Midlands. The presence of small-leaved lime <i>Tilia cordata</i> is one feature indicating the ancient origins of the wood. Adjacent wet meadows and acidic flushes within the wood provide added diversity. |
| Ulverscroft Valley                      | SSSI               | 3.8km SW                     | The site supports a series of semi-natural habitats representative of those formerly more widespread on the siliceous clay soils or Charnwood Forest. These include permanent grassland, heath, woodland and wetlands. Over 200 plant species have been recorded, including several locally rare species.   |
| Bishop's Meadow                         | LNR                | 4.1km NNE                    | Habitats include grassland, fen and swamp and a rich ground flora, fine beech trees and a rare mix of fungi and bryophytes.   |

<sup>18</sup> SSSI - Sites of Special Scientific Interest

<sup>19</sup> LNR - Local Nature Reserve

|                       |                          |           |   |
|-----------------------|--------------------------|-----------|---|
| Charnwood Lodge       | NNR <sup>20</sup> , SSSI | 4.1km WSW | Charnwood Lodge contains the best and most extensive examples of moorland habitats in the East Midlands, formerly typical of the Charnwood Forest area. It is dominated by a series of rocky outcrops and ridges of considerable geological importance. Ten species of bat have been recorded on the reserve with both species of pipistrelle and the rare Natterer's breeding here.  |
| One Barrow Plantation | SSSI                     | 4.1km W   | A site of national geological importance.   |
| Roecliffe Manor Lawns | SSSI                     | 4.1km SSE | The site supports an unusually diverse community of fungi associated with old unimproved grassland, including several species listed in the provisional Red Data List for fungi which are restricted in their distribution in England to such habitats. This type of habitat and its associated rich fungal assemblage is a rare feature in Leicestershire and is generally scarce in the United Kingdom and across much of western Europe. |
| Loughborough Meadows  | SSSI                     | 4.2km NE  | This site comprises the largest remaining example of unimproved alluvial flood meadow in Leicestershire (similar grasslands are more common in the Upper Thames region). Nationally, this habitat is becoming scarce as a result of agricultural improvement and flood prevention schemes.  |
| Oakley Wood           | SSSI                     | 4.3km NNW | The site represents a unique example in Leicestershire of the transition from mixed oakwood, developed on free-draining acid soil, to ash-hazel woodland characteristic of the heavy clays of Eastern Central England.  |
| Barrow Gravel Pits    | SSSI                     | 4.4km E   | The site comprises one of the best remaining complexes of open water, grassland, scrub and woodland in Leicestershire and possesses a rich flora and fauna representative of flood plain habitats in the English Midlands.  |
| Blackbrook Reservoir  | SSSI                     | 4.4km W   | The reservoir is stocked with brown trout ( <i>Salmo trutta</i> ) and supports a healthy population of white-clawed crayfish ( <i>Austropotambius pallipes</i> ) which are isolated from populations of invasive crayfish species. The reservoir also has locally important flocks of wintering wildfowl and supports breeding great crested grebe ( <i>Podiceps cristatus</i> ) and little grebe ( <i>Tachybaptus ruficollis</i> ).        |
| Shepshed Cutting      | SSSI                     | 4.7km WNW | A site of national geological importance.   |
| Cotes Grassland       | SSSI                     | 4.8km NE  | The primary interest of the site lies in the grassland sward developed on alluvial river gravels on a south-west facing bank overlooking the River Soar. The thin sward supports several species of plants which are  |

<sup>20</sup> NNR – National Nature Reserve



rare in Leicestershire and uncommon in the Midlands generally, including soft trefoil (*Trifolium striatum*).

## Appendix 8: Non-Statutory Site Designations within 2km

| Site Name   | Designation       | Location   | Brief Description  |
|---|-------------------|------------|--|
| Outwood   | LWS <sup>21</sup> | Adjacent S | A block of ancient woodland, containing both planted and semi-natural areas, with a rich ancient woodland ground flora. The site also contains a small area of wet alder woodland.             |
| Nanpantan Reservoir   | LWS               | 80m SW     | This site comprises an artificial fishing lake with marginal, floating and submerged vegetation. The reservoir holds a population of white-clawed crayfish ( <i>Austroptamobius pallipes</i> ) |
| Burleigh Wood   | LWS               | 95m NW     | A block of ancient semi-natural woodland with a rich ancient woodland ground flora. The site borders a housing development and is heavily used by the public.                                  |
| Buck Hill   | LWS               | 350m W     | Main habitats include acid grassland, mixed grassland, streams and rivers.   |
| Loughborough, Snell's Nook and Burleigh Brook, hedges and trees | LWS               | 355m NW    | Small site comprises of a brook with a series of species-rich hedgerow and mature trees.   |
| Buck Hill Knoll   | LWS               | 380m SW    | A conifer plantation containing colonies of bluebells, with a large bracken-dominated clearing.  |
| Hedgerows at Loughborough University                            | LWS               | 410m S     | Two species-rich hedgerows with trees.   |
| Nanpantan, The Home Farm grassland                              | LWS               | 435m W     | Semi-improved neutral grassland.   |
| Loughborough University, verge near Holy Well                   | LWS               | 0.5km N    | Created grassland, but very attractive and species-rich. Abundant cowslips ( <i>Primula veris</i> ) and snakeshead fritillaries ( <i>Fritillaria meleagris</i> ); well-used path alongside.    |
| Hedgerow at north end of Mile Lane                              | LWS               | 0.6km E    | Native species-rich hedgerow with trees  |
| Pignut Spinney Marsh  | LWS               | 0.6km E    | An area of marshy grassland adjacent to Wood Brook, with areas of dry neutral grassland, dense and scattered scrub, and willow pollards.   |
| Holywell Wood   | LWS               | 0.7km NNW  | A block of ancient woodland, containing both planted and semi-natural areas, with a rich ancient woodland ground flora. The site also contains a small area of wet alder woodland.             |

<sup>21</sup> LWS – Local Wildlife Site

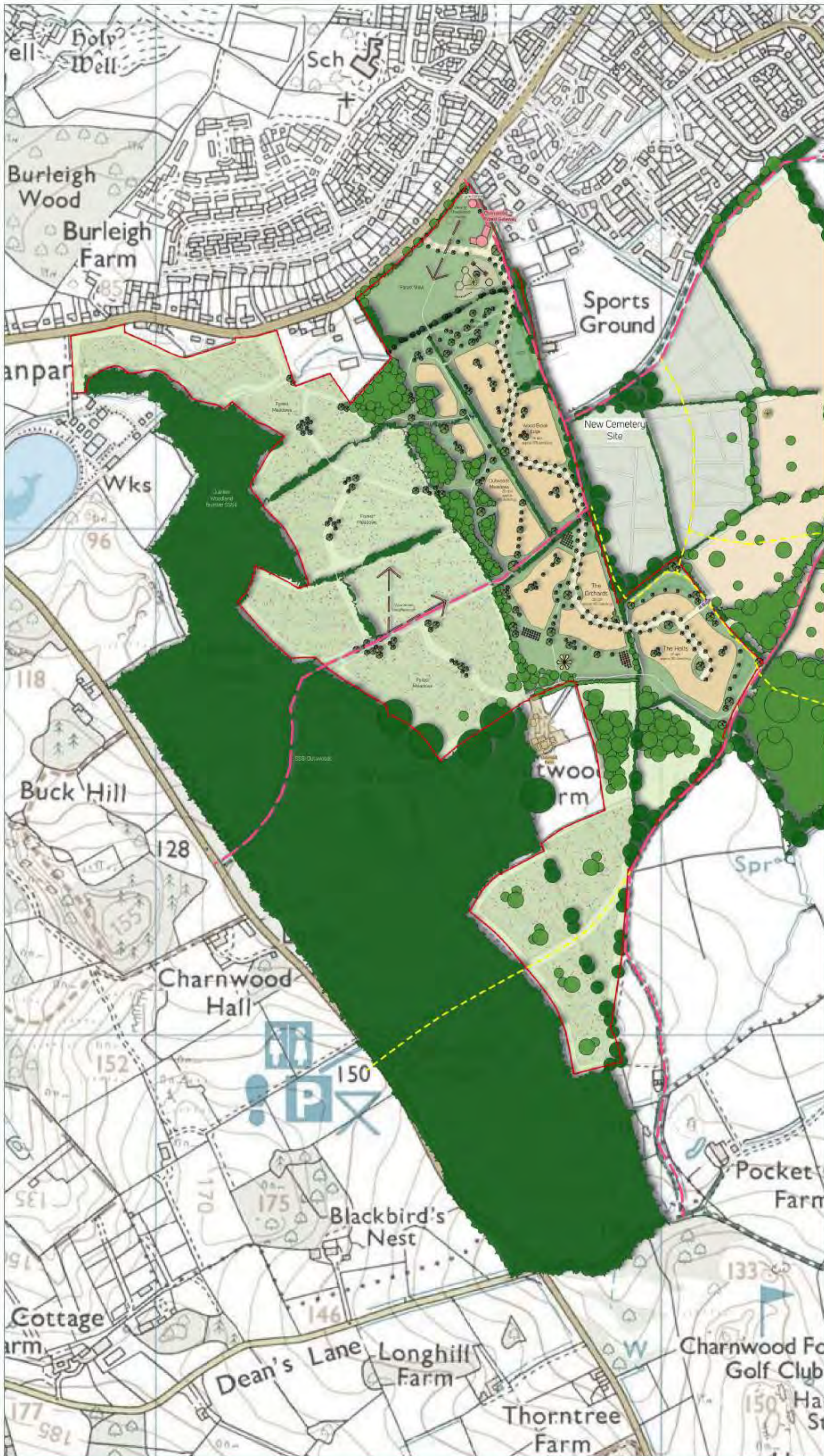
| Site Name   | Designation | Location  | Brief Description   |
|---|-------------|-----------|---|
| Nanpantan Hall Wood                                       | LWS         | 0.7km W   | Woodland and acid grassland.  |
| Blackbird's Nest  | LWS         | 0.8km SW  | A mosaic of dense bracken, woodland and scrub, acidic and neutral grassland, rock outcrops and a small conifer plantation.  |
| Longcliffe Golf Course                                    | LWS         | 0.8km W   | Acid grassland, woodland, Red Data Book species and mature trees - 5 <i>Quercus robur</i> , 1 <i>Salix fragilis</i> , 2 <i>Fagus sylvatica</i> , 1 unknown, with heathland. |
| North of Blackbird's Nest                                 | LWS         | 0.8km SW  | A mosaic of dense bracken, acid grassland, trees and scrub with rock outcrops and a pond.   |
| Home Farm Wood  | LWS         | 0.9km W   | Broad-leaved woodland.  |
| Blackbird's Nest Fields                                   | LWS         | 1km SW    | Three fields containing herb-rich neutral grassland, a pond, and mature oak ( <i>Quercus sp.</i> ) trees.   |
| Loughborough, tree on edge of Longcliffe golf-course      | LWS         | 1.3km WNW | Mature English oak ( <i>Quercus robur</i> ).  |
| Five Tree Plantation                                      | LWS         | 1.4km W   | Plantation broadleaved woodland.  |
| Five Tree Plantation, Beech                               | LWS         | 1.4km W   | Mature beech tree ( <i>Fagus sylvatica</i> ).   |
| Loughborough, Hedgerows N of A512                         | LWS         | 1.4km NW  | Two hedgerows classified as 'important' under the Hedgerow Regulations, 1997.   |
| Mucklin Wood  | LWS         | 1.4km ESE | Broadleaved and mixed woodland plantation on an ancient woodland site, with a network of grassy rides.  |
| Five Tree Plantation, Sweet Chestnut 1                    | LWS         | 1.5km W   | Mature sweet chestnut ( <i>Castanea sativa</i> ).   |
| Five Tree Plantation, Sweet Chestnut 2                    | LWS         | 1.5km W   | Mature sweet chestnut.  |
| Woodhouse, grassland strip in plantation off Breakback Rd | LWS         | 1.5km S   | Semi-improved neutral grassland   |
| Mick's Meadow, Beacon Hill Country Park                   | LWS         | 1.6km S   | Mesotrophic grassland with a pond.  |
| Booth Wood  | LWS         | 1.7km N   | A woodland with both semi-natural and plantation blocks. The wood is extensively used by the public and has its own community group.  |

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| Site Name                       | Designation | Location | Brief Description  |
|---------------------------------|-------------|----------|--|
| Loughborough, Shortcliffe Brook | LWS         | 1.7km NW | A 420 m section of Shortcliffe Brook, a small watercourse that runs at the bottom of the M1 motorway embankment.   |
| Charley Roadside Woodland       | LWS         | 2km SW   | A very small shallow stream overshadowed by species-rich broad-leaved woodland, with oaks ( <i>Quercus sp.</i> ) and crack willow ( <i>Salix fragilis</i> ). |



## Appendix 4 – Illustrative Masterplan by Nineteen47



- Key
-  Application site boundary
  -  Existing (retained) trees & hedgerow
  -  Indicative proposed planting
  -  Open space
  -  Visual links
  -  Potential for equipped play/LEAP
  -  Forest Meadows
  -  Indicative surface water attenuation basin
  -  Indicative development cell
  -  Existing public footpath
  -  Proposed footpath links

0 100 200 m

**nineteen47**  
 CHARTERED TOWN PLANNERS  
 & URBAN DESIGNERS

Project: South West Loughborough

Drawing File: Masterplan

| Project Code | Drawing File  | Rev |
|--------------|---------------|-----|
| n1312        | 005           | N   |
| Date         | Drawing Scale |     |
| 12.01.2023   | 1:5,000 @ A2  |     |



## Appendix 5 – Pre-Application Advice Submission

Glo.glo.P21-0492

15 January 2023

Development Management  
Charnwood Borough Council  
Southfield  
Southfield Road  
Loughborough  
Leicestershire  
LE11 2TX

**CONFIDENTIAL**

Dear Sir/Madam

**Pre-Application Request – Land off Watermead Way, Loughborough**

I write on behalf of our clients Redrow Homes, Davidsons Developments Limited and the Helen Jean Cope Charity, who are seeking pre-application advice in relation to land interests in land off Watermead Way, Loughborough. Please find attached a completed Pre-Application Enquiry Form, together with the following supporting documents:

- A Vision for South-West Loughborough – Copewood – A New Forest Community, Nineteen47, January 2023;
- Illustrative Masterplan (ref N1312 005 N), Nineteen47
- Highways Statement, ADC Infrastructure, August 2021;
- Preliminary Ecological Appraisal Report, RammSanderson, June 2022

The necessary fee of £3,600 will be paid direct by Davidsons/Redrow Homes.

We request that the pre-application submission and accompanying documents be treated as **CONFIDENTIAL** at this stage.

**Expertly Done.**

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE





The site is located on the south-western edge of Loughborough, south of Nanpantan Road and Watermead Way. The site extends in total to some 74 hectares of land, with some 16 hectares of the site proposed for development to provide some 600 homes. The remainder of the site would be reserved for various elements of green infrastructure, including significant new tree planting, wildflower meadows and a network of footpath and cycle routes, to provide significant opportunities for Biodiversity Net Gain for both the scheme and to assist other developments in the area to achieve biodiversity net gain through the provision of a Biodiversity Bank.

The attached Promotional Document sets out the vision for the site and the key elements of the proposals.

The land provides an opportunity for residential led growth to help address critical shortfalls in the five year land supply. In combination with the delivery of infrastructure to support aspirations for a Regional Park set out in the submission version of the Local Plan and project the setting of the Charnwood Forest for the long term. These are issues that have not been addressed through housing allocations in this location proposed in the Deposit Draft Local Plan currently at Examination, which provide a piecemeal approach with limited opportunities to deliver enhanced green infrastructure and associated facilities.

As landowner, the Helen Jean Cope Charity has previously gifted to Loughborough some of its most important forest assets including The Outwoods and Jubilee Woods. The proposals continue this tradition with the proposals delivering:

- Publicly accessible land on the edge of Loughborough – the main urban centre, taking pressure off the more sensitive central areas in the Forest;
- Contributing towards the much-needed Regional Park green and other infrastructure;
- Enhanced and inclusive access to new informal recreational facilities
- Improved public interpretation and understanding of the forest through the delivery and gifting of a Forest Gateway recreational hub;



- A commitment to securing significant biodiversity net gain for the benefit of both the proposed development and wider development schemes in the area, including provision for land to form part of a Biodiversity Bank.

The proposed development as outlined in the supporting Promotional Document offers a comprehensive solution to development opportunities at south-west Loughborough that the proposed allocations in the emerging plan fail to deliver.

The scheme would provide for much needed additional homes to help address immediate and critical housing supply shortfalls, whilst also providing a package of wider benefits through informal recreational access, a Forest hub building and land secured for Biodiversity net gain to support the proposals and other development opportunities in the area as part of a Biodiversity Bank.

I hope the above and the attached provide sufficient information on the proposals to allow a pre-application response to be provided.

In accordance with the Pre-Application Advice Service Guidance, we would request a meeting to discuss the proposals. Given the nature of the scheme, we would request that a member of the Planning Policy Team also attends the meeting.

If you can provide some dates for a meeting to discuss the pre-application request that would be helpful. In the meantime, should you require any further information please let me know.

Yours faithfully

[Redacted signature block]

Enc. Pre-application submission and supporting documents



## Appendix 6 – Pre-Application Advice Response

Guy Longley  
Pegasus Group Ltd

Dear Guy,

**APPLICATION NO: P/23/0073/2**

**PROPOSAL: Development of up to 600 homes along with supporting community and recreational infrastructure.**

**LOCATION: Land South of Watermead Way, Loughborough**

Thank you for your enquiry dated 15<sup>th</sup> January 2023 in respect of the above and the information provided at your meeting on 24<sup>th</sup> April 2023 with Jim Worley.

We have reviewed the documents you have provided. Internal consultation has been carried out and where responses have been received, they are set out below.

With reference to the meeting on 24<sup>th</sup> April, we have sought to address both the shorter term prognosis in the manner typical of a traditional 'pre application enquiry', but also a longer term view in the context of production of the next local plan. Our response therefore adopts the following structure:

1. Introduction covering a description of the proposal, site and surroundings and the current policy context, including the emerging Charnwood Draft Local Plan 2021-2037
2. Advice regarding the principle of development in the current policy context and how these considerations might change in the context of the next local plan
3. Advice regarding other matters
4. Conclusion

## **1. INTRODUCTION**

### **Proposal**

The proposed development comprises 74 hectares of land, with some 16 hectares of the site proposed for development to provide some 600 homes complemented across the remainder of the site by the provision of green infrastructure of various types, a network of footpath and cycle routes, and a 'Biodiversity Bank' supporting the scheme and allowing for enhancement for other purposes.

### **Site and Surroundings**

This enquiry relates to a site located on the south-western edge of Loughborough, south of Nanpantan Road and Watermead Way. It adjoins residential development to the north, across Nanpantan Road, and the Outwoods Sports complex in its north east

corner, but is otherwise surrounded by land in agricultural and forestry uses though it does adjoin residential and cemetery land uses currently being promoted through the emerging Charnwood Local Plan 2021-37. There are public footpaths along parts of its eastern boundary and, more notably, it is traversed by footpath K58 which travels east/west through approximately the middle of the site, giving access to the Outwoods\ further west.

## **Policy Context**

The starting point for decision making on all planning applications is that they must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The development plan for Charnwood comprises the Core Strategy 2015 and those saved policies within the 2004 Local Plan which have not been superseded by the Core Strategy and the Minerals and Waste Local Plan 2019. The most important policies for the determination of this proposal would be those listed below.

### National

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide (NDG)
- Climate Change Act 2008 as amended by Climate Change Act 2008 (2050 Target Amendment) Order 2019

### Charnwood Local Plan Core Strategy (2015)

- CS1 – Development Strategy
- CS2 – High Quality Design
- CS11 – Landscape and Countryside
- CS12 – Green Infrastructure
- CS13 – Biodiversity and Geodiversity
- CS14 – Heritage
- CS16 – Sustainable Construction and Energy
- CS17 – Sustainable Travel
- CS18 – Local and Strategic Network
- CS24 – Delivering Infrastructure
- CS25 – Presumption in Favour of Sustainable Development

### Saved Policies of Borough of Charnwood Local Plan (2004)

- ST/2 – Limits to Development

- CT/1 - General Principles for areas of countryside
- CT/2 – Development in the Countryside
- EV1/1 – Design

The Charnwood Draft Local Plan 2021-2037 (submitted December 2021)

- DS1 Development Strategy
- DS5 High Design Quality

LUC1 Loughborough Urban Centre

- C1 Countryside
- CC1 Flood Risk Management
- CC2 Sustainable Drainage Systems
- CC3 Renewables and Low Carbon Energy Installations
- CC4 Sustainable Construction
- EV1 Landscape

EV4 Charnwood Forest and the National Forest

- EV6 Conserving and Enhancing Biodiversity and Geodiversity
- EV7 Tree Planting
- EV8 Heritage
- INF2 Local and Strategic Road Network

This document was submitted for Examination in December 2021. It sets out the Council's strategic and detailed policies for the plan period 2019-37. Hearing sessions have been held in June 2022, October 2022 and February 2023 and the conclusions of the Planning Inspectors are awaited.

In accordance with NPPF paragraph 48, the relevant emerging policies in the plan may be given weight in determining applications, according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight it may be given),
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given),
- c) the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The weight assigned to the relevant policies will be addressed in the assessment that follows, although it is worthy of note that the Plan is likely to be more advanced by the time any application is submitted and determined.

## Supplementary Planning Documents, Guidance and Other Material Planning Considerations

- Biodiversity Planning Guidance (2022)
- The Leicestershire Highways Design Guide (2018)
- The Crime and Disorder Act 1998
- Conservation of Habitat and Species Regulations 2010 (as amended)
- Equality Act 2010
- Charnwood Borough Council Climate Change Strategy 2018-2030

## **2. ADVICE ON THE PRINCIPLE OF DEVELOPMENT**

### **Current Policy Context**

Policy CS1 of the Core Strategy directs development to a hierarchy of settlements and saved Local Plan Policy ST/2 defines the limits of development in those settlements. This site is situated within the open countryside, outside the limits to development of any settlement. Emerging Local Plan Policy DS1 similarly explains the development strategy and carries forward the approach of a concentration of development in Loughborough and other urban centres. Policy DS2 addresses unmet need within Leicester and Leicestershire with Main Modifications being discussed at the Local Plan hearing sessions and set out in Examination Document 69. . Though well advanced, DS1 remains the subject of some contention and, at present, is afforded limited weight.

Core Strategy Policy CS11 seeks to protect the character of our landscape and countryside, Similarly, Policies C1 and EV1 of the emerging Charnwood Local Plan 2021-37 reiterate similar aspirations.

The weight that can be assigned to these emerging Local Plan Policies is considered to be moderate at present but likely to acquire greater weight as these proposals evolve.

Core Strategy Policy CS12 and emerging Local Plan Policy EV4 have an important role owing to the site's location within the Charnwood Forest Regional Park and adjacent to the National Forest. The weight of the latter is considered to be moderate for the same reasons as C1 and EV1. These policies fundamentally address landscape and countryside issues but should be read together with the aforementioned policies to understand the development strategy. Further comments on landscape and countryside are provided later in this letter.

Though 'countryside', the site has no 'special' designation such as being an Area of Local Separation or Green Wedge in either existing or emerging local planning policy. It is not considered that the site is included in a 'valued landscape' within the terms provided by NPPF para 174 (a).

The Council recognises that because of the current lack of a 5-year supply of housing land (which stands at 4.27 years) and the age of Core Strategy Policy CS1 and Local Plan policies CT/1 and ST/2, the weight that can be ascribed to them is reduced, and paragraph 11d of the NPPF applies.

The site is located close to the settlement of Loughborough, where Core Strategy policy CS1 directs further housing growth as it is considered to be a sustainable location.

It is considered that the proposal does not accord with the pattern of development set out in DS1 of the emerging Charnwood Local Plan 2021-37 as the site is located outside limits to development and within the countryside; defined by emerging policy C1. Policy C1 does support small scale new built development in very limited circumstances and where there would not be significant adverse environmental impact but the development is not considered to be small scale, nor does it satisfy the other exceptions listed in Policy C1.

The proposal would be contrary to the Development Plan in principle but would result in 600 new dwellings at a time when the Local Planning Authority cannot demonstrate a five-year supply of housing land. This is regarded as a benefit of the development which is required to be balanced against any harm identified (the 'planning balance' is addressed at the conclusion of this report).

### **Context of a Future Local Plan**

The site was considered as part of the preparation of the current draft Local Plan. The Landscape Sensitivity Assessment (LUC 2019) identified landscape sensitivity particularly associated with the parts of the site that slope upwards in a westerly direction and its role as the backdrop to the Loughborough urban area and impact on the footpath previously referenced. It was also subject to assessment under the SHELAA process and whilst reiterating the issues regarding landscape and the setting of Loughborough, identified only a single *physical* constraint in that a small part of the site is vulnerable to Flood Zones 2, 3A and 3B. This assessment concluded that there were no insurmountable physical or environmental constraints to its development.

Therefore, upon analysis of the proposals as presented, no insurmountable 'red lines' are identified and with appropriate design and mitigation it is considered that the site is capable of development. Such an analysis of the site is, of course, in isolation of the potential overall development strategy that is to be pursued in a future Local Plan. The site's 'fit' within this potential strategy will be fundamental in determining whether it is taken forward in a future Local Plan.

The information submitted provides a helpful explanation of what form development could take and therefore how the site's constraints and sensitivities can be approached. It is considered that the siting of the development 'parcels' are the optimum choices from within the confines of the site and the explanation of landscaping and the style of development are welcome. However, the stated densities within the parcels does not appear immediately commensurate with the 'Forest Community' to which the Vision document refers.



The document presents the prospect of protecting the setting of the Outwoods through control of the land up to the edge of the woodland. The safeguarding of this land from built development is clearly preferable than the prospect of new homes being built at this part of the site. This land is currently relatively open which forms part of its historic landscape character, providing a clear separation with the built form of Loughborough. The openness of the landscape also provides views up to the Outwoods forming a distinct gateway to the Charnwood Forest landscape, particularly when viewed along Forest Road, and there are currently many long distance views from the Outwoods. The way this land is brought forward would ideally realise benefits to recreation and biodiversity, support the integration of development into its setting without losing the current benefits of openness that are highlighted above. The document refers to the gifting of this land in order to achieve these outcomes and it would be helpful to understand the mechanics of this in order to provide reassurance that it would deliver a permanent arrangement. It is also considered that in relation to some aspects of emerging Local Plan Policy EV4 and the objectives of the Charnwood Forest Regional Park these are positive benefits.

It is, of course, impossible to predict what future demand for growth may comprise and indeed what alternative opportunities and strategy(ies) the Council (and its neighbouring, partner, Local Planning Authorities) may adopt to fulfil them. It is therefore impossible to realistically offer prognosis of prospects of success in a Development Plan context. However, as stated above, the various constraints applicable to the site appear manageable and some may be less severe than those applicable to some other sites which may come forward.

I trust you take reassurance from the robust and objective manner in which the site was assessed in the evidence base for the current Local Plan, and as referred to above concluded that there were no insurmountable barriers to the *capability* of the site to be developed, and we can assure you of objective assessment in future exercises.

### **3. ADVICE ON OTHER MATTERS**

#### **Landscape and Visual Impact**

Core Strategy Policy CS11 and Policies C1 and EV1 of the emerging Local Plan seeks to protect the character of our landscape and countryside and reinforce a sense of place and local distinctiveness, which is considered to be consistent with the NPPF, particularly paragraph 174.

The weight that can be assigned to emerging Policies C1 and EV1 of the emerging Local Plan is moderate. The plan is at an advanced stage and following the hearing sessions it is considered there are no unresolved objections in relation to these policies. They are consistent with the NPPF and therefore are considered to carry moderate weight.

The application site is situated within the Charnwood Forest Landscape Character Area and also the Charnwood Forest Regional Park as identified in the emerging Local Plan such that Policy EV4 is applicable.

This states that:

## Policy EV4: Charnwood Forest and the National Forest

*The Charnwood Forest Regional Park and National Forest are defined on the Policies Map. We will work with our partners to protect and enhance the Charnwood Forest Regional Park and support the aims of the National Forest Strategy. We will support development that:*

- supports the woodland economy and rural diversification, including sustainable small-scale tourism and recreation opportunities which protect, and enhance the distinctive landscape character of the Charnwood Forest;*
- protects and enhances the biodiversity of the Charnwood Forest Regional Park, consistent with the aims of the National Character Area profile of Charnwood;*
- provides tree planting within the Charnwood Forest Regional Park, in accordance with the National Forest Planting Guidelines;*
- provides an improved network of public rights of way within Charnwood Forest and between nearby settlements including the establishment of a network of off-road links for walkers, cyclists and equestrians; and*
- improves accessibility for people with mobility issues including improved footpaths and parking for people with disabilities.*

The Landscape Sensitivity study 2021 identifies the site as medium-high sensitivity, making particular reference that:

- The site forms an undeveloped backdrop to the existing settlement, with the slopes containing Loughborough from the wider countryside.
- The adjacent settlement edges of Loughborough are well screened and integrated into the landscape by belts of woodland.
- Views and visual character including skylines
- The hills adjacent to the site create distinctive wooded skylines in views to the south and south-west.
- Visual prominence from Nanpantan Road.
- From higher ground the views over Loughborough to the undulating landform of the Wolds beyond.
- From Nanpantan Road there are long views south across the site towards the distinctive elevated landscape of the Charnwood Forest. M-H Access and recreation
- Several public rights of way (including PRow K57 and K58) cross the landscape, linking Loughborough with the wider countryside and nearby settlements.
- The site retains a strong rural character despite the proximity to Loughborough. The site feels removed from the existing settlement despite its proximity.
- The landscape provides part of the 'gateway' to the distinctive Charnwood Forest landscape which lies to the west and south.

The 2021 assessment provided emphasis that the higher parts of the site sloping towards the Outwoods were of particular sensitivity and recommended various design techniques and the retention and enhancement of hedgerows and copses and rows of trees.

There is concern that due to scale the development would significantly alter the characteristics in the immediate area from an undeveloped landscape containing the above qualities to a partially residential one which in turn would conflict with the stated policies. It is considered that the proposals cannot be said to protect the open characteristic nor “reinforce the sense of place” or “local distinctiveness”. In terms of the emerging Local Plan, it would not accord with Policy EV1 Landscape because of these impacts. Policy EV4 of the emerging Local Plan does not contemplate development of this scale and although it can be seen that the masterplan facilitates achievement of some of its objectives, it is opposed in principle and poses a further obstacle to the proposal within the current policy framework. Because the plan is at an advanced stage, hearing sessions on the Environment took place in June 2022 during which representations to EV4 and issues were discussed and the Council considers EV4 is consistent with NPPF paras 146, 174, as such it is considered to carry moderate weight at present.

It is considered that these findings would weigh against the proposal and pose a risk to the success of an application.

However, it is also considered that the Masterplan document at its current stage of development demonstrates effectively that development could be contained within the lower parts of the site and its size is such that it could accommodate the mitigation referred to in the Sensitivity Assessments in the landscape study. Therefore, whilst not supported by the current policy framework, it is considered that the masterplan provides sufficient detail to allow for consideration in future development plan analysis.

The development would either be adjacent to or traversed by Public Rights of Way (PROW). The proposal’s proximity to and incorporation of a PROW would lead to high to very high adverse impact on the experiential amenity use of such routes. At present these, K58 in particular, are tranquil and free from intrusion into the natural environment and provide an experience of rural undeveloped and unspoilt landscape.

### **Design & Character**

Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved Policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality and which uses materials appropriate to the locality. Similarly, emerging Policy DS5 of Local Plan reiterates similar requirements such as high quality design, amenity, climate change and so on for new developments. The weight that can be assigned to this emerging Local Plan Policy DS5 is moderate for the same reasons as explained in respect of C1 and EV1 above.

Notwithstanding the assessment of the landscape impacts of the development as outlined above, it will be necessary to submit a Landscape and Visual Assessment

sufficient to enable an informed assessment to be made of the impact of the development.

The design of buildings, and how their setting will be configured to create the quality, sense of place and local distinctiveness referred to in the submission, would ideally be set out in a Design Brief (or similar), the adherence requirements to which would ultimately be incorporated into any permission granted.

### **Ecology and Trees**

Policy CS13 of Charnwood Core Strategy seeks to protect or enhance biodiversity and ensure that where there is any potential loss this is avoided, mitigated or compensated.

The NPPF states that decisions should minimize impacts on and provide net gains to biodiversity (paragraph 174). Emerging Local Plan Policy EV6 seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks.. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and this is not currently required by national policy. Therefore, emerging Local Plan Policy EV6 can be given only limited weight until the emerging policy is further progressed towards adoption.

The policy requires that proposals are accompanied by an ecological survey and Biodiversity Impact Assessment to demonstrate how a biodiversity net gain would be achieved on site (or by means of compensation elsewhere) Further guidance is provided in the Biodiversity Planning Guidance 2022: [https://www.charnwood.gov.uk/pages/biodiversity\\_planning\\_guidance](https://www.charnwood.gov.uk/pages/biodiversity_planning_guidance)

Emerging Local Plan Policy EV7 seeks to protect and enhance natural environment by supporting the retention of existing trees and increasing the number of trees in Charnwood through new tree planting. The weight than can be assigned to this emerging policy is moderate for the same reasons as stated in regard to other polies previously.

An accurate, up to date tree survey/ Arboricultural Impact Assessment/ Arboricultural Method Statement in accordance with BS5837 of all of the tree and hedgerow to boundaries trees would need to be submitted with any forthcoming planning application.

### **Environmental and Residential Amenity**

Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality and which uses materials appropriate to the locality. Similarly, emerging Policy DS5 of Local Plan reiterates similar requirements such as high quality design, amenity, climate change and so on for new developments. The weight that can be assigned to this emerging Local Plan Policy DS5 is moderate.

There is limited concern regarding the proximity to dwellings and the size of the site is such that normal design techniques should be able to overcome such concerns.

### **Agricultural Land Classification**

NPPF paragraph 174 indicates that decisions should recognise the economic and other benefits of best and most versatile (B&MV) agricultural land. PPG defines B&MV agricultural land as Grades 1, 2 and 3a indicating that agricultural land quality is a factor when assessing proposals. These considerations include, whether the use of any agricultural land is necessary and whether a proposal allows for continued agricultural use. Core Strategy Policy CS16 states that we will support 'new development that protects environmental resources including.....our most versatile agricultural land'.

### **Cultural Heritage**

There are no designated heritage assets within the application site itself, but the site is close to Moat House, Bramcote Rd (Grade II) and the Outwoods Farmhouse and its outbuildings (both Grade II) and Halfway House, Hazel Road (Grade II) a little to the east.

We are able to conclude that impacts on Designated Heritage Assets would be very limited due to their distance and intervening landscape/townscape features and the measures proposed to maintain separation within the masterplan document, which would appear to be sufficient to protect their settings. A Heritage Statement is considered necessary to describe the significance of any heritage asset affected by the proposal, including their settings and to demonstrate compliance with the NPPF para. 198, Policy CS14 of Charnwood Core Strategy and emerging Policy EV8 of Local Plan.

### **Highways**

Policy CS2 of the Core Strategy and TR/18 of Local Plan seeks to ensure safe access is provided to new development. Policy CS17 of the Core Strategy and emerging Policy CC5 of Local Plan is concerned with encouraging sustainable transport patterns. The weight that can be assigned to this emerging Policy CC5 of Local Plan is moderate. Policy CS18 requires network improvements as identified in Transport Assessments. The NPPF also sets out requirements for new developments which have some impact on the highway network. Paragraph 111 of the NPPF seeks to ensure new development does not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network. Paragraph 112 of the NPPF seeks to promote sustainable travel choices.

We have not consulted the Leicestershire County Highway Authority on the proposal as a result of the request for confidentiality but note the content of the ADC Highways Statement. However, it should be noted that committed and planned development has taken place since its production and also that the Local Highways Authority has recently declared its intention to seek developer contributions towards highways infrastructure requirements at 'plan level' arising from the combined demand of

widespread development. Detail of this approach can be reviewed the LCC Cabinet Report of 10 Feb 23, available at: <https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=7073&Ver=4>

The cabinet report covers both education and highways.

An extract of the report says: This area continues to develop and updates to the Highways Statement will be required going forward.

### **Flood Risk and Drainage**

Policy CS16 of the Core Strategy seek to ensure that development is not at risk of flooding and that it does not cause flood risk elsewhere. Emerging Policy CC1 seeks to manage flood risk and the weight assigned to this Policy is limited. Policy CC2 of the emerging Local Plan seek to secure SuDS, only moderate weight can be afforded to this Policy.

The application site lies within Flood Zone 1 being at a low risk of surface water flooding. The LCC LLFA have not been consulted but we would expect their continued encouragement of Sustainable Drainage techniques and management of run off rates to ensure they are less than or equal to greenfield rates.

The development would be classed as a major application and would need to be accompanied by Flood Risk Assessment and SuDS, if applicable, that clearly demonstrates that the proposal can be satisfactorily drained and that there would be no flood risk created or exacerbated elsewhere.

### **Minerals Impact**

The Leicestershire Minerals and Waste Local Plan 2019 (MWLP) does not identify that the site lies within a Safeguarding Area.

## **4. CONCLUSION**

In the current policy context, weighing significantly against the benefits of the proposal is the likely harm which has been identified to the character and appearance of the landscape which could be considered to be contrary to local policies to include Adopted Local Plan Policy CT/1, Core Strategy Policy CS11 and the NPPF(para 174), and emerging Local Plan Policies C1 and EV1.

In the immediate and shorter term, it is considered that the harm arising from the proposal would be regarded as very significant and as such a proposal would only have a prospect of success, within these horizons, if very substantial benefits were to be accrued. It is not considered that the potential biodiversity and landscape/setting benefits of the proposal, alongside deliverability within the current housing land supply conditions, are sufficient to justify approval. Furthermore, the Council is optimistic that the Local Plan will reach adoption in a form similar to the submission version and with that will come an improvement in the land supply position. Therefore, the 'planning balance' in terms of policy harm and delivery issues is likely to evolve to the

disadvantage of the proposal in a time period commensurate with the preparation and determination of a planning application.

Based on the above analysis we would recommend against a planning application at present, but would invite your participation in any review or replacement of the Local Plan. Even though not yet adopted, under the current operation of the planning system, reviews are required every 5 years and these inevitably focus upon updated measures of demand based on recent delivery achievements and revised trajectories of need. In reality, preparation towards a review of the Local Plan is likely to be commenced well before the 5<sup>th</sup> anniversary of the Plan concerned to ensure an up to date Plan remains in place.

This advice is qualified that it is my best professional opinion at the time of writing. When determining an application submitted to it, the local planning authority will take into account all material considerations that are pertinent to the proposal at that time. This includes responses from statutory and non-statutory consultees and comments from members of the public. Nonetheless, the decision of the local planning authority will be made in accordance with the provisions of the development plan where relevant, unless material considerations indicate otherwise.

The above are my views and will hopefully enable you to decide whether to submit an application or not and what is required in the submission of an application. Please be aware that the Council may come to a different conclusion on a formal application or further matters may arise following consultation with interested parties, therefore I cannot provide any guarantee on the outcome of an application.

If you have any questions or require further information, please contact me on

[REDACTED]

Yours sincerely,

Richard Brown  
Team Leader Local Plans Charnwood Borough Council



## **Appendix 7 – Aberdeen City v Elsick [2017] UKSC 66**





Michaelmas Term  
[2017] UKSC 66  
*On appeal from: [2016] CSIH 28*

## **JUDGMENT**

### **Aberdeen City and Shire Strategic Development Planning Authority (Appellant) v Elsick Development Company Limited (Respondent) (Scotland)**

before

**Lord Neuberger  
Lady Hale  
Lord Mance  
Lord Reed  
Lord Hodge**

**JUDGMENT GIVEN ON**

**25 October 2017**

**Heard on 13 June 2017**

*Appellant*  
Martin Kingston QC  
Alasdair Sutherland  
(Instructed by Morton  
Fraser LLP)

*Respondent*  
Roy Martin QC  
Alasdair Burnet  
(Instructed by Burness  
Paul LLP)

**LORD HODGE: (with whom Lord Neuberger, Lady Hale, Lord Mance and Lord Reed agree)**

1. This appeal raises an important question of planning law. A planning authority foresees and plans for significant growth in its area. Major investment in transport infrastructure is required to accommodate the aggregate of the planned development. The planning authority seeks to achieve this investment by adopting a policy in its development plan which in substance requires developers to enter into planning obligations with it to make financial contributions to the pooled fund to be spent on the infrastructure, including interventions at places where a particular development has only a trivial impact. Is such a policy within the existing powers of the planning authority under current planning legislation?

*Factual background*

2. The Aberdeen City and Shire Strategic Development Planning Authority (“the Authority”) has the responsibility for preparing a strategic development plan for its area. The Authority foresaw the need for significant new and improved infrastructure to accommodate the cumulative impact of new development for which it planned. There were already proposals for transport infrastructure which involved major public sector investment, including the Aberdeen Western Peripheral Route (“AWPR”), new bridges, park and ride sites, making the A96 into a dual carriageway road and the creation of twin tracks on significant parts of the Aberdeen-Inverness railway line, all of which was to be paid for out of public funds. In 2010 the North-East of Scotland Transport Partnership (“Nestrans”) commissioned a cumulative transport appraisal for the area (“the CTA”), in which it estimated that £86.6m was required on top of already committed public sector investment in order to fund a package of infrastructure developments, which it identified, to address the cumulative impact of the proposed new development in the area.

3. In December 2011 the Authority approved non-statutory supplementary planning guidance which proposed the establishment of a Strategic Transport Fund (“the Fund”). In February 2013 the Authority published its proposed strategic development plan. In that plan the Authority stated that it intended to prepare supplementary guidance in support of the plan. This guidance would allow for the Fund to deliver the transport projects which were needed to deal with the combined effect of new development in four identified strategic growth areas within the Aberdeen Housing Market Area. The Authority stated that it would need to secure a higher percentage of the increase in land values, which resulted from the grant of

planning permission, than it had in the past in order to be able to create sustainable mixed communities.

4. Elsick Development Ltd (“Elsick”) proposes to develop approximately 4,000 houses together with commercial, retail and community facilities at Elsick, near Stonehaven. Elsick’s site is located within the southerly of the four strategic growth areas. In November 2011 Elsick objected to the draft supplementary planning guidance while it was subject to consultation.

5. Elsick also objected to the proposed strategic development plan and sought to have the reference to the Fund removed from that plan on the ground that it was contrary to the guidance of the Scottish Ministers on planning obligations which is set out in circular 3/2012, “Planning Obligations and Good Neighbour Agreements” (“the Circular”). The Circular advised planning authorities to seek to have developers enter into planning obligations only if the obligations met specified tests. These tests were that the obligations (i) were necessary to make the proposed development acceptable in planning terms (para 15), (ii) served a planning purpose (para 16), (iii) related to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area (paras 17-19), (iv) fairly and reasonably related in scale and kind to the proposed development (paras 20-23), and (v) were reasonable in all other respects. Elsick’s principal concern was with (iv); Elsick asserted that the contribution to the Fund which the proposed plan envisaged was out of all proportion to the demands which its development would make on the infrastructure which expenditure from the Fund was to improve.

6. In the meantime, on 30 September 2013 Elsick entered into a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) (“the 1997 Act”) with Aberdeenshire Council (“the Council”) to contribute to the Fund in terms of the draft non-statutory supplementary planning guidance or any revision or replacement of it in the proposed strategic development plan, but the agreement also provided that no contributions to the Fund needed to be paid if the supplementary planning guidance were found to be invalid. On 2 October 2013 the Council granted outline planning permission for the development and detailed planning permission for a first phase of 802 houses and other facilities.

7. The proposed strategic development plan was examined by a reporter appointed by the Scottish Ministers. In his report dated 21 January 2014 the reporter stated that it was right that the principle of the Fund should be established in the development plan and concluded that the CTA had demonstrated that the overall traffic growth, which the development promoted in the plan would create, would have harmful effects unless there were mitigation measures. He expressed concern that the mechanism for raising contributions to the Fund did not comply with

national policy in the Circular because there was not a sufficiently clear and direct relationship between the development supplying the contribution and the infrastructure to be delivered. He advised that para 5.9 of the proposed plan be amended “to establish that the Fund will only be used to gather contributions towards infrastructure improvements that are related to the developments concerned and strictly necessary in order to make any individual development acceptable in planning terms”.

8. The Strategic Development Plan was amended to take account of the reporter’s comments. As so amended the relevant paragraphs of the Plan stated:

“5.8 Developers will have to accept the need for contributions towards necessary infrastructure, services and facilities within their own site. However, in cases where development has wider effects, we will have to secure contributions to deal with these as well, although the public sector will also need to make an important contribution.

5.9 We will prepare supplementary guidance in support of this plan. This will allow (through a ‘Strategic Transport Fund’) transport projects which are needed as a result of the combined effect of new development to be funded and delivered. ... We will look for contributions from housing, business, industrial, retail and commercial leisure developments in the strategic growth areas within the Aberdeen Housing Market Area, (detailed criteria will be set out in the supplementary guidance). We will only use contributions to support projects that are related to the developments concerned and that are necessary to make those developments acceptable in planning terms.”

9. The Authority then resolved to convert the non-statutory supplementary planning guidance into statutory guidance. On 12 December 2014 the Authority issued a consultation draft of the proposed statutory guidance. In a report to the meeting of the Authority which approved the consultation draft it was explained that the consultants who had prepared the CTA had re-presented table 7.2 of the study, which I discuss in more detail in para 16 below, to show a clear and direct link between the development providing a contribution to the Fund and the infrastructure improvement to be delivered. The report also stated that the supplementary guidance was

“based on a strategic level evidence base and uses this to derive appropriate contribution levels for individual developments. The main driving force behind the preparation of the existing non-statutory guidance was the need to facilitate development rather than leave it to individual developers to try to satisfy Transport Scotland and the two councils that they had adequately mitigated all their cumulative impacts on the transport network.”

10. Elsick and others objected to the consultation draft on several grounds, including that it failed to comply with the Circular. The Authority responded to Elsick’s representations by stating that all but one of the transport interventions were within a three-mile radius of Aberdeen City centre and had strong inter-relationships and that the modelling of the CTA had demonstrated that there was a cumulative impact from all development areas to all of the interventions. The Authority approved the draft supplementary guidance on 24 April 2015 and sent it to the Scottish Ministers for ratification.

11. The Scottish Ministers advised that the Authority could adopt the draft supplementary guidance if they added a statement that the use of any planning obligation shall follow the guidance in the Circular. The Authority made that amendment and adopted the supplementary guidance (“SG”) on 25 June 2015. As I explain below when I discuss the legislative background, the SG forms part of the development plan for the purpose of determining planning applications.

### *The Supplementary Guidance*

12. After setting out the purpose of and background to the SG and who would be expected to contribute, the SG explained that the purpose of the Fund was to mitigate the cumulative impact of developments at specific “hotspots” in the network which the CTA had identified. It continued (in para 4.8): “[t]here will still be a requirement to mitigate impacts specific to the development (defined as local impacts) whether they are on the local or strategic network”. In section 5 the SG set out the contributions which were required to deliver the proposed interventions at an estimated cost of £86.6m. In Table 1 in that section the SG set out contribution levels which for residential developments were fixed by reference to unit size, ranging from £1,350 per unit for a one bedroom unit to £3,148 per unit for a unit of five bedrooms or more. The table also provided for contributions from non-residential developments.

13. Because the Authority has argued that contribution to the Fund was voluntary (para 20 below), I set out para 5.4 so far as relevant. It provided:

“Developers can elect to assess and mitigate *their cumulative impact* outwith the [Fund], although this will require a considerably more comprehensive Transport Assessment and the design and delivery of the mitigation measures shown to be necessary. This will definitely be more time-consuming and almost certainly more expensive, *if it can be achieved at all.*” (emphasis added)

14. Section 6 of the SG addressed how and when contributions would be payable. Para 6.1 stated that a planning obligation or other legal agreement would normally be used to secure contributions. In accordance with the advice of the Scottish Ministers, the paragraph also stated that the use of any planning obligation shall follow the guidance in the Circular.

15. Section 7 of the SG explained that the contributions would be used only to fund the transport interventions which it listed. Para 7.3 stated:

“No contributions from development sites will be used to support projects where the development in question is predicted to gain no mitigation benefit from the infrastructure being provided and therefore is un-related to the development making the contribution. The CTA has shown that the delivery of each of the projects identified above is necessary to make *all developments* acceptable in planning terms (see appendix 2).” (emphasis added)

16. Appendix 2 summarised the CTA and listed the cumulative infrastructure requirements which it had identified. It reproduced as Table 3 the revised table 7.2 of the CTA, which had been prepared in response to the reporter’s criticism (para 7 above) that it had not been demonstrated that there was a clear and direct relationship between the development contributing to the Fund and the infrastructure which would be delivered. But that table showed the traffic generated by each development which would use the infrastructure at the identified “hotspots” as a percentage of the total traffic generated by that development. For example, the table showed the following in relation to the Elsick site:

| Development Zone | Persley Bridge | A947  | A96 East of AWPR | Kingswells North | A944  | New Bridge of Dee |
|------------------|----------------|-------|------------------|------------------|-------|-------------------|
| Elsick           | 3.45%          | 0.10% | 0.76%            | 1.46%            | 0.79% | 8.39%             |

Thus, taking the columns on the left, the table showed that 3.45% of the traffic which the Elswick development would generate would use Persley Bridge and 0.10% of that traffic would use the A947.

17. The previous table 7.2 in the CTA was more informative about the impact of the proposed developments on the infrastructure. It showed the percentage of the total traffic using the new infrastructure at the identified “hotspots” which the traffic generated by each proposed development was estimated to create. For example, in relation to the Elswick development, it had shown that the percentage of the total traffic predicted to use the same infrastructure as the following:

| Development Zone | Persley Bridge | A947 | A96 East of AWRP | Kingswells North | A944 | New Bridge of Dee |
|------------------|----------------|------|------------------|------------------|------|-------------------|
| Elswick          | 1%             | 0%   | 1%               | 2%               | 1%   | 7%                |

It also showed that 2% of the traffic on the Loirston Link would be generated by the Elswick development and 79% of the traffic on the Elswick Fastlink. In relation to a separate development at Blackdog the original table 7.2 of the CTA showed that 1% of the traffic on the A947 would be attributable to that site and 0% of the traffic on all of the other listed infrastructure.

18. Paragraph 7.4 explained that the contributions would be used to deliver the specified transport interventions. It stated:

“Nestrans as the Regional Transport Partnership will hold and administer contributions in a strategic transport fund. As contributions are received they will be placed into a ring-fenced account. The monies in this account will only be available for delivering the strategic transport projects listed above, including detailed assessment, development and design work.”

### *The challenge*

19. Elswick appealed against the adoption of the SG to the Inner House of the Court of Session under section 238 of the 1997 Act. On 29 April 2016 the First Division of the Inner House (The Lord President (Lord Carloway), Lord Menzies and Lord



Drummond Young) allowed the appeal and quashed the SG: [2016] CSIH 28. The First Division upheld three of the four grounds of appeal which Elsick advanced. First, the court upheld the submission that the Authority had failed to comply with national policy on the use of planning obligations, holding that it was a fundamental principle of planning law, which was reflected in the Circular, that a condition attached to the grant of a planning permission, whether contained in a planning obligation or otherwise, must fairly and reasonably relate to the permitted development. The First Division accepted the distinction, which the reporter had drawn, between the sharing of costs among developments which had cumulatively required a particular investment in transport infrastructure on the one hand and the funding of a basket of measures, not all of which were relevant to every development. The court referred (in para 35 of its opinion) to the original Table 7.2 and held that many of the planned developments had no impact at all on several of the proposed infrastructure interventions. It added: “[t]his applies to both Elsick and Blackdog relative to a number of the interventions. In respect of others the impact is *de minimis*”. The result was that the additional sentence in the SG about complying with the guidance in the Circular, which was added at the request of the Scottish Ministers (para 11 above), could not prevent the obligation to contribute to the Fund, in which contributions were pooled, from breaching the Circular. The First Division also upheld Elsick’s submission that there was no rational basis for relying on Table 3 of Appendix 2 of the SG (ie the revised table 7.2 of the CTA) to support the contention that a particular intervention was made necessary by reason of either a particular development or the cumulative effect of it along with other developments.

20. The Authority applied for and was given permission to appeal to this court arguing that the policy tests in the Circular were not part of the legal tests for the validity of a planning obligation, that the Inner House had taken an unduly restrictive approach to policy, and that the Authority had substantially complied with the Circular when the SG afforded the opportunity to a developer to make mitigation contributions to infrastructure wholly outside the Fund (para 5.4 of the SG, which is set out in para 13 above). This court refused to allow the Authority to argue that the Inner House had erred in law and fact in finding that many of the planned developments, such as Elsick and Blackdog, have no impact on some of the proposed interventions and, in the case of Elsick and Blackdog, the impact on some other interventions is *de minimis*, because that was a finding of fact, based on the original table 7.2 of the CTA, the contents of which were not disputed.

### *Discussion*

21. The central issue in this appeal is the lawfulness of the planning obligation which Elsick has entered into in conformity with the requirements of the SG. The Authority challenges the First Division’s conclusion that the tests applicable to a planning condition are properly to be applied to a planning obligation. To address

this challenge I examine (i) the correct legal test as to the lawfulness of a planning condition, (ii) the correct legal test as to the lawfulness of a planning obligation, (iii) the role of a planning obligation in the decision to grant or refuse planning permission, and (iv) the boundary between questions of legality and questions of policy.

22. I set out the legislative background before turning to each of the four questions. Finally, I will apply the answers to those questions to the facts in this appeal.

### *The legislative background*

23. The 1997 Act was amended extensively by the Planning etc (Scotland) Act 2006 to provide in Part 2 for strategic development planning: see section 2 of the 2006 Act. Section 4 of the amended 1997 Act empowers the Scottish Ministers to designate a group of planning authorities as authorities which are jointly to prepare a strategic development plan for the area which the Scottish Ministers determine (section 5(3)). Section 7 provides that a strategic development plan is to include a vision statement, which is to be a broad statement setting out the strategic development planning authority's views on how development could and should occur in its area and the matters, including infrastructure, which might affect that development. The 1997 Act provides for the preparation and publication of a proposed strategic development plan (section 10), the appointment by the Scottish Ministers of a reporter to examine the proposed plan (section 12), the approval or rejection of the proposed plan by the Scottish Ministers (section 13), and, on such approval, the publication of the constituted strategic development plan.

24. Section 22 empowers a strategic development planning authority to adopt and issue supplementary guidance in connection with a strategic development plan, which guidance has to be submitted to the Scottish Ministers who can by notice require the authority to modify it. The Town and Country Planning (Development Planning) (Scotland) Regulations 2008 (SSI 2008/426) provide (in regulation 27(2)) that such supplementary guidance may only deal with the provision of "further information or detail in respect of the policies or proposals set out in [the] plan and then only provided that those are matters which are expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance".

25. Section 24 defines the development plan, which is an important concept in relation to decisions taken under the planning Acts, as including the provisions of the approved strategic development plan for the time being in force for the area and also the supplementary guidance issued in connection with that plan. The central

importance of the development plan to planning decisions can be seen in two provisions of the 1997 Act. First, section 25(1) provides:

“Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise - (a) to be made in accordance with that plan ...”

Secondly, section 37(2) provides:

“In dealing with [an application for planning permission] the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.”

Sections 25(1) and 37(2) in combination set up what has been called “a presumption that the development plan is to govern the decision on an application for planning permission”: *City of Edinburgh Council v Secretary of State for Scotland* 1998 SC (HL) 33, 43G; [1997] 1 WLR 1447, 1458 per Lord Clyde. I will return to these two provisions when I consider question (ii) below.

26. In order to address question (i) (the lawfulness of a planning condition) I refer to section 37(1) which provides:

“Where an application is made to a planning authority for planning permission - (a) ... they may grant planning permission, either unconditionally or subject to such conditions as they think fit”,

and section 41(1) which provides so far as relevant:

“Without prejudice to the generality of section 37(1) to (3), conditions may be imposed on the grant of planning permission under that section -

- a) for regulating the development or use of any land under the control of the applicant (whether or not it is land in respect of which the application was made) or requiring the carrying out of works on any such land, so

far as appears to the planning authority to be expedient for the purposes of or in connection with the development authorised by the permission;

b) for requiring the removal of any buildings or works authorised by the permission, or the discontinuance of any use of land so authorised, at the end of a specified period, and the carrying out of any works required for the reinstatement of land at the end of that period. ...”

27. Of direct relevance to question (ii) (the lawfulness of a planning obligation) is section 75 (as substituted by section 23 of the 2006 Act) which, so far as relevant, provides:

“(1) A person may, in respect of land in the district of a planning authority -

(a) by agreement with that authority, or

(b) unilaterally,

enter into an obligation (referred to in this section and in sections 75A to 75C as a ‘planning obligation’) restricting or regulating the development or use of the land, either permanently or during such period as may be specified in the instrument by which the obligation is entered into (referred to in this section and in those sections as the ‘relevant instrument’)

(2) Without prejudice to the generality of subsection (1), the reference in that subsection to restricting or regulating the development or use of land includes - (a) requiring operations or activities specified in the relevant instrument to be carried out in, on, under or over the land, or (b) requiring the land to be used in a way so specified.

(3) A planning obligation may - ...

- (b) require the payment -
  - (i) of a specified amount or an amount determined in accordance with the relevant instrument. ...”

Section 75(5) provides that a relevant instrument, to which the owner of the land is a party, may be recorded in the Register of Sasines or registered in the Land Register of Scotland so that the planning authority may enforce certain obligations in the instrument against both the owner and his successors in title. Sections 75A and 75B provide for the modification and discharge of planning obligations by agreement with the planning authority or by the determination of the Scottish Ministers on an appeal.

*Question (i): the lawfulness of a planning condition*

28. A planning condition is a statutory creation. Section 37(1) of the 1997 Act (para 26 above) and similar legislative provisions in England and Wales (section 70(1) of the Town and Country Planning Act 1990 (“the 1990 Act”)) authorise a planning authority to impose planning conditions when it grants a planning permission. The apparently unlimited power (“subject to such conditions as they think fit”) has long been interpreted restrictively by the courts to prevent its abuse. The courts have formulated three principal constraints. First, the conditions must be imposed for a planning purpose and not solely to achieve some ulterior object, however desirable in the public interest that object may be. Secondly, the conditions must “fairly and reasonably relate to the permitted development”. Thirdly, the conditions must not be unreasonable in the *Wednesbury* sense (*Associated Provincial Picture Houses Ltd v Wednesbury Corpn* [1948] 1 KB 223, 233-234).

29. The first constraint arises from the statutory origin of the power of a planning authority to impose conditions: administrative law provides that it must be exercised for the purposes of the 1997 Act, namely planning purposes. The second constraint was first articulated by Lord Denning in *Pyx Granite Co Ltd v Ministry of Housing and Local Government* [1958] 1 QB 554, 575. His statement has been endorsed on several occasions by the House of Lords in *Fawcett Properties Ltd v Buckingham County Council* [1961] AC 636, *Mixnam’s Properties Ltd v Chertsey Urban District Council* [1965] AC 735, and *Newbury District Council v Secretary of State for the Environment* [1981] AC 578. It arises from the statutory context of the power in section 37: a planning authority is tasked with determining an application for planning permission on its merits having regard to the development plan so far as relevant and other material considerations; the power to attach conditions to the permission is an inherent part of the power to grant permission for the development

of land; therefore the conditions imposed on the grant of that permission must relate to the development for which permission is given. The third constraint is a feature of our administrative law.

30. The second legal requirement - that a condition must fairly and reasonably relate to the development - requires there to be a reasonably close relationship between the development and the condition which governs it. In *British Airports Authority v Secretary of State for Scotland* 1979 SC 200 the Inner House looked for a “clear relationship” between the condition and the permitted development (218 per the Lord President (Emslie)) or “a recognised and real relationship ... that is fair and reasonable” (220 per Lord Cameron).

31. Such a relationship between a condition and the permitted development existed where a planning authority imposed a negative suspensive condition, that development of a site should not commence until an event had occurred which the developer alone did not have power to bring about. In *Grampian Regional Council v Secretary of State for Scotland and City of Aberdeen District Council* 1984 SC (HL) 58 the House of Lords upheld the validity of such a condition which overcame an objection to a proposed industrial development on the ground of road traffic safety. The condition was that the development of the site could not commence until the road on the western boundary of the site had been closed by a road closure order which the Secretary of State would have to confirm. In the leading speech, Lord Keith of Kinkel (pp 66-67) accepted the three tests which I have stated in para 28 above and which have come to be associated with the *Newbury* case and held that the condition met the third test because it was not unreasonable to impose such a condition which was in the public interest and where there were reasonable prospects that a road closure order would be confirmed.

32. The three-fold legal test for validity, having been repeatedly approved by judges at the highest level, is an established part of planning law. Other rules of administrative law, such as the requirement to take account of all relevant considerations and not to take account of irrelevant considerations in decision-making, apply to a decision to impose a particular condition.

*Question (ii): the lawfulness of a planning obligation*

33. A planning obligation also is a statutory creation. As with a particular planning condition, the lawfulness of a particular obligation depends upon (i) the wording of the statute, and (ii) the rules of our administrative law.

34. Section 75 of the 1997 Act, like its predecessor legislation (section 50 of the Town and Country Planning (Scotland) Act 1972), requires that the obligation restricts or regulates the development or use of the land to which it relates. As section 75(3)(b) shows, the planning obligation can include the payment of money.

35. Prima facie the planning authority is given a wide discretion as to the circumstances in which it can seek a planning obligation and the nature of that obligation. While it is not uncommon for planning authorities to duplicate some planning conditions in a section 75 agreement and thereby obtain an alternative means of enforcement, planning obligations also enable a planning authority to control matters which it might otherwise have no power to control by the imposition of planning conditions. Planning obligations are most commonly required in the context of an application for planning permission, but they are not confined to such circumstances and are available as a means of keeping land free from any development. It is not surprising therefore that there is no general legal requirement that there be a relationship to a permitted development.

36. In *Good v Epping Forest District Council* [1994] 1 WLR 376, in which Ralph Gibson LJ delivered the leading judgment, the Court of Appeal addressed the question whether a planning authority could validly achieve by agreement any purpose which it could not validly achieve by planning condition or whether the test for validity was the same in each case. In substance, the Court held that the powers of a planning authority to bring about a planning obligation were not controlled by the nature and extent of its statutory powers to grant planning permission subject to conditions (p 387C). A planning obligation did not have to relate to a permitted development.

37. In *Tesco Stores Ltd v Secretary of State for the Environment* [1995] 1 WLR 759, which I discuss more fully when addressing question (iii) below, both Lord Keith of Kinkel (769B-C) and Lord Hoffmann (779C-D) referred with approval to the judgment of the Court of Appeal in *Good v Epping Forest District Council* (above). Lord Hoffmann (779D) summarised the case thus: “the only tests for the validity of a planning obligation outside the express terms of section 106 [of the 1990 Act] are that it must be for a planning purpose and not *Wednesbury* unreasonable”. Thus beyond the restrictions implicit in the words of the section there are only the constraints of administrative law, which requires the planning authority to exercise its power to seek a planning obligation for a planning purpose: its exercise solely for a purpose unrelated to land use planning would be an abuse of power. Similarly, if a local planning authority acts unreasonably in the *Wednesbury* sense in requiring the undertaking of a planning obligation, the obligation may be reduced (nullified). Other rules of administrative law, such as the requirement to take into account all relevant considerations, also apply.

38. The express words of section 75 require a relationship between the planning obligation and the land to be burdened by the obligation because the obligation must in some way restrict or regulate the development or the use of that land. But those restrictions or regulation do not necessarily relate to a particular permitted development on the burdened land. A planning obligation may prohibit the development of the land in a particular way or the use of the land for particular purposes. A planning obligation may keep the burdened land free from any development and may be entered into in circumstances which are not connected with any planning application.

39. Restrictions may validly be imposed in the context of the development of another site. Thus, to take an example discussed in *Good v Epping Forest District Council*, the owner of two farms, A and B, within the area of a planning authority might apply for planning permission to develop and operate an intensive breeding establishment on farm A. The owner of the farms might offer, or the planning authority might require, a section 75 planning obligation preventing the use of farm B for that purpose. The restriction would relate to farm B and would be justified for the planning purpose of preventing an undesirable number of such establishments in the same area.

40. A planning obligation may also regulate the development or use of the burdened site. An example, in the context of a planning application, is where a planning obligation requires the developer to provide affordable housing as a component of a development on its site or to create specified infrastructure on its land to meet the needs of that development.

41. Similarly, a planning authority may contract for the payment of financial contributions towards, for example, educational facilities, healthcare facilities, sewerage or waste and re-cycling: requiring a development to contribute to, or meet, its own external costs in terms of infrastructure involves regulating the development of the land which is burdened by the obligation. The financial contribution can be applied towards infrastructure necessitated by the cumulative effects of various developments, so long as the land which is subject to the planning obligation contributes to that cumulative effect and thereby creates a sufficient relationship between the obligation in question and the land so that one can fairly speak of the obligation as regulating the development of the land.

42. In each of the examples in paras 38-41 above the restriction or regulation serves a purpose in relation to the development or use of the burdened site. In this appeal a question of principle arises: can a restriction or regulation of a site be imposed in the form of a negative suspensive planning obligation, analogous to the negative suspensive planning condition in the *Grampian Regional Council* case, for a purpose which does not relate to the development or use of the site? In particular,



is it lawful by planning obligation to restrict the commencement of the development of a site until the developer undertakes to make a financial contribution towards infrastructure which is unconnected to the development of the site? Alternatively, is it lawful to require contributions towards such infrastructure in a planning obligation which does not restrict the development of the site by means of a negative suspensive obligation?

43. The answer to each question is no. Dealing first with the latter question, a planning obligation which required a developer to contribute to infrastructure unconnected with its development but did not make the payment of the contribution a pre-condition of development of the site would not fall within section 75 as it would neither restrict nor regulate the development or use of the site. In *Tesco Stores Ltd v Secretary of State for the Environment* (1994) 68 P & CR 219, Beldam LJ (pp 234-235) stated:

“In section 106(1) [of the 1990 Act] the obligations referred to in subsections (a), (b) and (c) clearly relate to the land in which the person entering into the obligation is interested. The obligation entered into by a person interested in land under subsection (d) to pay money to the authority is not expressed to be restricted to the payment of money for any particular purpose or object. But all the planning obligations are, by section 106(3), enforceable not only against the person entering into the obligation but also against his successors in title to the land. Against the background that it is a fundamental principle that planning permission cannot be bought or sold, it does not seem unreasonable to interpret subsection (1)(d) so that a planning obligation requiring a sum or sums to be paid to the planning authority should be for a planning purpose or objective which should be in some way connected with or relate to the land in which the person entering into the obligation is interested.”

In my view, this analysis is equally applicable to section 75 of the 1997 Act which, in so far as is relevant, is in substantially similar terms as section 106 of the 1990 Act (as substituted by section 12(1) of the Planning and Compensation Act 1991) as the obligations in section 106(1)(a) - (d) are reflected in section 75(1)(2) and (3)(b).

44. A planning obligation, which required as a pre-condition for commencing development that a developer pay a financial contribution for a purpose which did not relate to the burdened land, could be said to restrict the development of the site, but it would also be unlawful. Were such a restriction lawful, a planning authority could use a planning obligation in the context of an application for planning

permission to extract from a developer benefits for the community which were wholly unconnected with the proposed development, thereby undermining the obligation on the planning authority to determine the application on its merits. Similarly, a developer could seek to obtain a planning permission by unilaterally undertaking a planning obligation not to develop its site until it had funded extraneous infrastructure or other community facilities unconnected with its development. This could amount to the buying and selling of a planning permission. Section 75, when interpreted in its statutory context, contains an implicit limitation on the purposes of a negative suspensive planning obligation, namely that the restriction must serve a purpose in relation to the development or use of the burdened site. An ulterior purpose, even if it could be categorised as a planning purpose in a broad sense, will not suffice. It is that implicit restriction which makes it both ultra vires and also unreasonable in the *Wednesbury* sense for a planning authority to use planning obligations for such an ulterior purpose.

45. It is, perhaps, surprising that the legal boundaries of a planning obligation have not been the subject of more extensive judicial comment, beyond the cases discussed in *Good v Epping Forest District Council*, the comment by Beldam LJ in the Court of Appeal in *Tesco* (para 43 above), and the opinion of Lord MacLean in *McIntosh v Aberdeenshire Council* 1999 SLT 93 (which upheld the validity of a planning obligation to build an estate road to serve the owner's development of his land and also to facilitate the development of neighbouring land in third party ownership) when the risk of misuse of planning obligations has long been recognised as a matter of policy. There were concerns that some planning authorities were tempted to make exorbitant demands for what has been called "planning gain", to confer benefits on the community which were not part of the developer's original proposal. A developer in order to obtain a planning permission might be forced to incur disproportionate costs in providing such gains which were unrelated or insufficiently related to its development or otherwise suffer the delay and expense of an appeal to the Scottish Ministers. This practice risked bringing the planning system into disrepute. In 1981, in a report to the Secretary of State for the Environment called "Planning Gain", the Property Advisory Group advised that planning obligations be used only to overcome legitimate planning objections to an application for planning permission and that the practice of bargaining with developers for planning gain was unacceptable. The report, which was criticised for taking too narrow an approach to the planning process, advocated that the Secretary of State should issue guidance. The Department of the Environment and the Welsh Office produced such guidance in 1983 in circular 22/83, which sought to control rather than exclude the pursuit of planning gain. In Scotland, the Scottish Development Department issued a circular in 1984, entitled "Section 50 Agreements" (SDD circular 22/1984). Current guidance on the use of planning obligations in Scotland is contained in the Circular (para 5 above). As I explain when addressing question (iv) below, this guidance, while an important statement of national policy, does not have the force of law.

46. There was also a perceived risk that developers, who were each promoting a different site in a competition for what might be an exclusive permission to develop one of the sites, would offer to enter into an obligation with the planning authority to fund infrastructure or other community facilities which were unrelated or only marginally related to their developments. This practice similarly threatened to bring the planning system into disrepute, by creating the impression that they were buying planning permissions. In the heady days of the “store wars”, major supermarket chains competed with each other before planning authorities and in planning appeals to obtain permission to develop rival sites up and down the United Kingdom. This competition, which often involved offers to provide “planning gain”, led to authoritative judicial guidance on the relevance of a planning obligation to the grant or refusal of a planning permission, which I now consider under question (iii).

*Question (iii): the role of the planning obligation in the grant or refusal of planning permission*

47. What is the role of a planning obligation in the decision to grant or refuse planning permission? In Scotland that decision is governed by section 37(2) of the 1997 Act which requires that the planning authority have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations (para 25 above). In *Tesco Stores Ltd v Secretary of State for the Environment* (above) the House of Lords, when considering a legislative provision in identical terms (section 70(2) of the 1990 Act), gave guidance on the relevance of a planning obligation to the grant or refusal of planning permission. That guidance is not challenged in this appeal.

48. In the leading speech, which Lord Keith of Kinkel delivered, the House held that for a planning obligation to be a “material consideration”, which it interpreted as a “relevant consideration” (764G), in the decision whether to grant planning permission, the obligation must have some connection with the proposed development which is not de minimis (ie too trifling for the law to be concerned with it). In what follows, I paraphrase the Latin phrase as “trivial”. Lord Keith described the relevance of a planning obligation in these terms (770A-B):

“An offered planning obligation which has nothing to do with the proposed development, apart from the fact that it is offered by the developer, will plainly not be a material consideration and could be regarded only as an attempt to buy planning permission. If it has some connection with the proposed development which is not de minimis, then regard must be had to it.”

49. In that case, developers, including Tesco and Tarmac, which was associated with Sainsburys, competed to obtain planning permission for their sites for a superstore outside the centre of Witney in Oxfordshire. The Witney local plan proposed a new link road, including a new river crossing, to relieve traffic congestion. Tesco entered into a planning obligation with the planning authority under section 106 of the 1990 Act to fund that road. The Secretary of State on appeal favoured the Tarmac site and refused permission to the Tesco application, holding that the link road was not needed to enable any of the food stores to be developed or so directly related to any of the developments or the use of the land after completion that any of the developments should not be permitted without it. Tesco appealed under section 288 of the 1990 Act, arguing that the Secretary of State had erred in law in not treating the offer to fund in the planning obligation as a material consideration. The House held that the Secretary of State had correctly had regard to the offer but had chosen in the exercise of his planning judgement to attach little weight to it and so had not erred in law.

50. No challenge was made in *Tesco*, in the House of Lords or in the courts below it, to the validity of the planning obligation: the question whether the obligation regulated the development of Tesco's site was not put in issue and only Beldam LJ commented on the legality of an obligation to contribute money (para 43 above).

51. The inclusion of a policy in the development plan, that the planning authority will seek such a planning obligation from developers, would not make relevant what otherwise would be irrelevant. Section 37(2) (para 25 above) requires the planning authority to have regard to the provisions of the development plan "*so far as material to the application*" and treats its provisions as a relevant consideration only to that extent. Thus, a green belt policy will be relevant to an application if the site of the application falls within the specified green belt and a requirement that a certain amount of open space is provided in a proposal for residential development will be relevant to an application for residential development. Similarly, a requirement in the plan that an applicant should agree to contribute to the cost of offsite infrastructure, which is related to its development, will be relevant to the application. But the words, which I have emphasised, mean that if a planning obligation, which is otherwise irrelevant to the planning application, is sought as a policy in the development plan, the policy seeking to impose such an obligation is an irrelevant consideration when the planning authority considers the application for planning permission.

52. It is important to recall that the question whether a benefit conferred by a planning obligation is a material consideration in the determination of an application for planning permission is quite separate from the question whether a planning obligation restricts or regulates the development or use of a particular piece of land. Thus, to use the example of the farmer with two farms, A and B. He wishes to develop farm A and is prepared to enter into a planning obligation to restrict the

development or use of farm B in the context of his negotiation of a permission for farm A. The legality of the planning obligation in relation to farm B will depend, among other things, on whether it restricts or regulates the development or use of farm B. The relevance of the planning obligation to the determination of the application in relation to farm A depends upon there being a more than trivial connection between the benefit conferred by controlling farm B and the development of farm A, as the *Tesco* case decided.

*Question (iv): The boundary between questions of legality and questions of policy*

53. Relevant ministerial guidance which sets out national planning policy is unquestionably a material consideration for any planning authority when it determines applications for planning permission. A failure by a planning authority to take into consideration national guidance, such as that in the Circular (para 5 above) on the tests which a planning authority should apply when deciding whether to seek a planning obligation, would be unlawful. Further, if a planning authority were to depart from national planning guidance when refusing an application for planning permission, it might risk an appeal by the disappointed applicant to the Scottish Ministers. But a decision by the planning authority is not illegal if it departs from ministerial guidance in a planning circular, provided that the authority has treated that guidance as a relevant consideration when it reached its decision.

54. In *Tesco* (above) Lord Hoffmann pointed out (780F-G) that the law has always made “a clear distinction between the question of whether something is a material consideration and the weight which it should be given”. The former is a question of law; the latter is a matter for the planning judgement of the planning authority. Accordingly, a failure by a planning authority to have regard to relevant guidance as a material planning consideration would be an error of law. A decision, after considering the guidance, not to follow it, would (absent another ground of challenge in administrative law) be a matter of planning judgement, in which the courts have no role.

*The legality of Elswick’s planning obligation*

55. What is the nature of the scheme which the SG has established?

56. First, it involves the payment by developers of financial contributions towards the funding of specified transport infrastructure in and around Aberdeen, principally through the mechanism of planning obligations. It involves the pooling of the contributions and no one developer is liable for the costs of any of the specified interventions (paras 1.5 and 3.3 and Appendix 2). Secondly, the obligation

to contribute to the Fund is in addition to the requirement that a developer mitigate impacts specific to its development (para 4.8). Thirdly, the contributions from residential developers are fixed at a sum per unit (Table 1 summarised in para 12 above). Fourthly, those payments are not tied to the impact of a particular development on the transport network. The original table 7.2 in the CTA suggested that there was no connection between traffic generated by certain developments and the need to intervene at particular hotspots. The revised table 7.2 which is referred to in para 7.3 of the SG and reproduced in Appendix 2 shows that some vehicles from each of the developments will use the proposed infrastructure but in many cases such use is at a very low level.

57. Fifthly, the opt-out which para 5.4 of the SG offers (para 13 above) does not make the scheme voluntary in any real sense. The developer is still expected to provide a contribution towards the cumulative impact of the developments on infrastructure over and above the impact of its individual development and the paragraph understandably expresses doubt whether a developer could create the needed assessment, design and provide for the necessary mitigation measures. Unless a developer were able to perform this daunting task and persuade the planning authority that it was robust, it is clear that the scheme envisages that it would not obtain planning permission for its development.

58. Sixthly, the statement in para 6.1 that the use of any planning obligation shall follow the guidance in the Circular is inconsistent with the nature of the scheme. This is because the pooling of fixed per unit contributions towards the funding of infrastructure interventions, which include many on which a particular development's impact is minimal, does not meet the criterion in the Circular that the obligation is fairly and reasonably related in scale and kind to the proposed development. The statement which the Scottish Ministers inserted into the SG therefore is no safeguard.

59. As the Lord President has observed, there appears to be much that can be said in favour of such a scheme. It enables a planning authority to facilitate development within its area. Inclusion of such a scheme in a development plan allows a public debate during the statutory process of the approval of the plan. The scheme allows developers in the area to assess the viability of their proposed developments knowing the extent of their liability to the Fund before they spend large sums pursuing their applications. In England and Wales Part 11 of the Planning Act 2008, which provided for a community infrastructure levy, was enacted to achieve similar ends.

60. But the 1997 Act does not allow for such a scheme. The Inner House has found that the connection between certain developments, including the development at Elsick, and some of the interventions which the pooled Fund is intended to finance

is at best trivial. The illegality of the scheme is not because it does not comply with the Circular. The guidance in the Circular is simply a material consideration which the planning authority must take into account when deciding whether to grant planning permission. The weight which the planning authority attaches to such guidance is a matter of planning judgement. The scheme of the SG and the planning obligations which it promotes are unlawful for two separate reasons.

61. First, the requirement imposed on a developer to contribute to the pooled Fund, which is to finance the transport infrastructure needed to make acceptable all of the developments which the development plan promotes, entails the use of a developer's contribution on infrastructure with which its development has no more than a trivial connection and thus is not imposed for a purpose in relation to the development and use of the burdened site as section 75 requires.

62. Further, the Council did not include any provision in the planning obligation restricting the development of the Elsick site until a contribution was made. Instead it resolved to grant planning permission for the development but to issue that permission only once Elsick had entered into the obligation. The planning obligation was therefore neither restricting nor regulating the development of the Elsick site and so was outside the ambit of section 75.

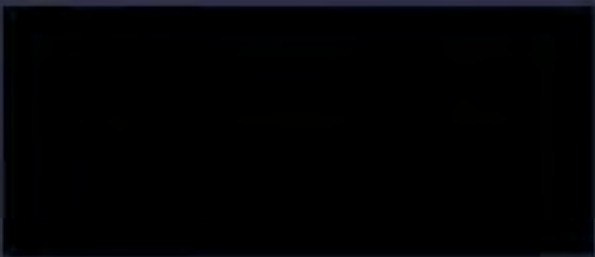
63. Secondly, *Tesco* (above) establishes that for a planning obligation, which is to contribute funding, to be a material consideration in the decision to grant planning permission, there must be more than a trivial connection between the development and the intervention or interventions which the proposed contribution will fund. The planning obligation which Elsick entered into could not be a relevant consideration in the grant of the planning permission. In my view, it was not within the power of the planning authority to require a developer to enter into such an obligation which would be irrelevant to its application for permission as a precondition of the grant of that permission.

64. If planning authorities in Scotland wish to establish a local development land levy in order to facilitate development, legislation is needed to empower them to do so.

### *Conclusion*

65. I would dismiss the appeal.

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



# Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE



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## A.2 Appendix 2

# **CHARNWOOD LOCAL PLAN 2021-37 - RESPONSE TO UPDATED HOUSING LAND SUPPLY POSITION (EXAM 58J, 58K, 58L, AND 58M)**

on behalf of Redrow Homes Limited, Davidsons Developments Limited  
and the Helen Jean Cope Charity ('the Clients')

794-PLN-MNP-00242  
22 August 2024

## REPORT

### Document status

| Version | Purpose of document                   | Authored by | Reviewed by | Approved by | Review date |
|---------|---------------------------------------|-------------|-------------|-------------|-------------|
| draft   | Report on housing land supply matters | DRO         | TA          | TA          | [Text]      |

### Approval for issue

[Name]

[Signature]

22 August 2024

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**Prepared by:**

**RPS**

**Prepared for:**

**Redrow Homes Limited, Davidsons  
Developments Limited and the Helen Jean Cope  
Charity ('the Clients')**

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Appendix 1 Review of updated housing land supply list 1 April 2024 (EXAM 58M)

Appendix 2 Commentary on deliverability of sustainable urban extension sites with permission

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# 1 BACKGROUND

- 1.1 This response has been prepared on behalf of the Clients in regards to the Charnwood Local Plan examination currently in progress. Charnwood Borough Council (CBC) submitted the Charnwood Local Plan 2021-2037 for examination on 3 December 2021. Under these circumstances, issues relating to the soundness of the CLP with regards to housing land supply are assessed against the July 2021 version of the National Planning Policy Framework (NPPF). Our responses set out here therefore apply this version.
- 1.2 On 22 March 2024, following the hearing session dealing with housing supply matters (Matter 7) held on 20 February 2024, the local plan Inspectors wrote to CBC (Exam 80<sup>1</sup>). In that letter, the Inspectors stated that given the end of the 2023/24 monitoring year was imminent, the Council should update the land supply information submitted by CBC to date in order to reflect completions and commitments at 31 March 2024. They also requested that the updated documents should be made available for consultation alongside the consultation on the main modifications to the Plan (PMMs).
- 1.3 The Council has updated its housing land supply position to the end of March 2024, and has produced a number of documents to support this position as part of the Proposed Main Modifications (PPMs) to the Local Plan. The Inspectors have invited representations on the following documents:
- EXAM 58J: Housing Trajectory Update 2024
  - EXAM 58K: Housing Trajectory Update Notes July 2024
  - EXAM 58L: An Update to Five Year Supply on Adoption May 2024
  - EXAM 58M: Updated Housing Land Supply Site List April 2024
- 1.4 The updated land supply note (EXAM 58L) provides CBC's five year housing land supply position on the adoption of the Charnwood Local Plan, assuming this is during 2024/25. CBC present two supply figures using the 'Sedgefield' and 'Liverpool' alternative methods for dealing with the under-delivery of housing (1,293 dwellings) since the start date of the new Plan (April 2021). This reflects the current practice guidance<sup>2</sup>.
- 1.5 CBC claim they can demonstrate a deliverable supply of 7,613 dwellings for the five-year period (2024-29). Using the Sedgefield method, the supply (in years) is 5.01; using the Liverpool method,

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<sup>1</sup> EXAM 80 - Inspectors' Post Hearing Letter March 2024

<sup>2</sup> The PPG (subject to change, in line with the final Government reforms of the NPPF expected during autumn 2024) sets out two methods for incorporating any deficit in housing delivery into the calculation of the five year housing land supply. The 'Sedgefield' method deals with any deficit over the first 5 years of the plan period, whilst the 'Liverpool' method spreads the deficit over the remaining 13 years of the plan period (to 2037)

it is 5.62 years. We discuss the merits of these alternative methods in dealing with past under-delivery in the next section of our submission, in the context of current guidance in the PPG<sup>3</sup>.

- 1.6 The sites identified to produce the 7,613 dwellings supply included in the updated trajectory at April 2024 (EXAM 58J) are drawn from information in the updated housing trajectory note (EXAM 58K) and Housing Land Supply Site List (EXAM 58M). According to CBC, the updated sites list provides the evidence for including in the five-year supply period those housing allocations with planning permission (along with other non-site allocations with planning permission at the base date, 1 April 2024). The justification for whether those proposed allocations without planning permission will contribute to the five year housing land supply on adoption and their trajectory is provided in the Housing Trajectory Update Note (EXAM 58K).
- 1.7 The four documents listed above, and the issues raised by them, form the basis for the responses submitted here for the Inspector's consideration.

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<sup>3</sup> Paragraph: 031 Reference ID: 68-031-20190722 Revision date: 22 July 2019

## 2 CALCULATING THE HOUSING LAND REQUIREMENT

2.1 Paragraph 68 of the NPPF says that planning policies should identify sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability, and that policies should identify a supply of specific, deliverable sites for years one to five of the plan period (including an appropriate buffer). This assumes that the Council will be able to demonstrate a five year supply of deliverable land upon adoption of the CLP as requested by the Local Plan Inspectors in 2022<sup>4</sup>.

### Dealing with past under-delivery since base date of the plan

- 2.2 As will be the case in Charnwood, the start date of the CLP (April 2021) and the base date for the land supply assessment (April 2024) are not the same. This raises issues relating to past delivery since the plan start date against planned requirements and how to address this on adoption of the plan. EXAM 58L identifies a shortfall of 1,293 dwellings delivered since 2021. National policy only refers to the housing delivery test (HDT) as the basis for measuring under delivery of housing<sup>5</sup>. It does not clarify how past-under delivery should be taken into account for the purposes of plan-making.
- 2.3 The PPG says that the level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgefield approach), then the appropriate buffer should be applied, and if a strategic policy-making authority wishes to deal with past under delivery over a longer period, then a case may be made as part of the plan-making and examination process<sup>6</sup>.
- 2.4 The guidance in the PPG on past under-delivery is alluded to in EXAM 58L and EXAM 58J. The Council says that the PPG identifies 'two methods' for incorporating any deficit into the calculation of the five year land supply. However, the PPG doesn't say this, as explained above. According to the guidance, the preferred method is to address any shortfall in the next five years. If the shortfall is to be spread over a longer period, then the Council needs to justify their position. From the information presented, no case is made for the use of any alternative approach to the Sedgefield method.
- 2.5 In these circumstances, we contend that the soundness of the updated land supply position on adoption put forward by the Council should be assessed in the context of the Sedgefield approach, and that the Plan should make clear that consideration of past-delivery in future supply assessments should be based on the Sedgefield method. This can be done in a straight forward manner by way of a main modification prior to adoption of the plan.

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<sup>4</sup> In their letter to CBC on preliminary matters, dated 2 February 2022 (EXAM 1)

<sup>5</sup> NPPF 2021, para 74

<sup>6</sup> Paragraph: 031 Reference ID: 68-031-20190722 Revision date: 22 July 2019

2.6 On this basis, the appropriate five year housing land requirement for consideration in this consultation should be 7,600 dwellings for the period 2024-2029. We examine the Council's evidence on the deliverable supply to meet this requirement in the next section of this submission. As we explain in subsequent sections of this submission, whichever method is used to deal with past under delivery, the Council cannot demonstrate a five year supply of deliverable sites in line with national policy.



### 3 THE COUNCIL'S UPDATED DELIVERABLE SUPPLY (COMPONENTS)

- 3.1 Paragraph 74 of the NPPF says that planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement.
- 3.2 Advice on how Council's should assess the deliverability of sites in their supply is provided in planning practice guidance (PPG) dealing with housing supply and delivery published in 2019<sup>7</sup>. The PPG provides guidance on what constitutes a 'deliverable' housing site in the context of plan-making and includes examples of the type of evidence required to demonstrate sites meet the definition in the NPPF glossary<sup>8</sup>.
- 3.3 The Council's updated position on the 7,613 deliverable units they rely upon to meet the housing land requirement on adoption is provided in EXAM 58J, EXAM 58K and 58M. By splitting up the presentation of the supply across three separate documents, this makes understanding the 'audit trail' necessary to demonstrate how the Council reached its latest position rather opaque and lacking transparency. It is also unclear whether all the relevant information referred to in the updated information (for example, 'consultation responses 2024' referred to in EXAM 58M under 'housing delivery source') has been issued as part of the consultation material. These issues clearly undermine the Council's ability to demonstrate soundness of the plan on housing land supply matters.
- 3.4 The Council's deliverable supply on adoption based on their own figures comprises the following elements:

| Sources of supply  | Dwellings in 5YLS |
|--|-------------------|
| EXAM 58M: Updated Housing Land Supply Site List April 2024 | 5,941             |
| EXAM 58J/58K <sup>9</sup> Housing Trajectory Update        | 1,546             |
| EXAM 58J (windfalls)                                       | 126               |
| <b>Total</b>   | <b>7,613</b>      |

- 3.5 We have reviewed these components and set out the summary of our assessment in the following sections.

<sup>7</sup> <https://www.gov.uk/guidance/housing-supply-and-delivery>

<sup>8</sup> Paragraph: 007 Reference ID: 68-007-20190722 Revision date: 22 July 2019

<sup>9</sup> This covers those site allocations not included as part of the existing supply in EXAM 58M

## 4 EXISTING SUPPLY (EXAM 58M)

- 4.1 We have reviewed the updated schedule of sites list included in EXAM 58M, utilising the guidance on housing supply and delivery in the version PPG applicable to this examination highlighted previously. This includes for this exercise consideration given to the 'clear' evidence required to demonstrate firm progress has been made on certain sites (notably, those sites with outline planning permission and site allocations without permission) in order that they meet the definition of deliverable as stated in the NPPF.
- 4.2 In line with the guidance, our broad approach has been to examine the evidence on deliverability included in the Council's updated supply documents, as well as drawing where relevant on information submitted to the Local Plan examination on land supply matters in relation to specific sites. Our full assessment on the existing supply is set out in **Appendix 1**, which includes our response on specific sites in the 'RPS Comments' section of the sheet.
- 4.3 Based on our assessment, we have identified 16 sites where we dispute the deliverability assumptions put forward by the Council. Notably, we have identified a number of outline approvals in the supply where the draft Transport Contributions Strategy is causing some delays in progressing those sites. As well as impacting on the five year land supply position, this may have wider implications for the deliverability of the Plan as whole, given the importance of the transport contributions towards achieving the wider spatial strategy. Separate representations have been prepared on behalf of the Clients regarding the approach to seeking transport contributions in the Plan, and which have been submitted to the Main Modifications consultation.
- 4.4 Our assessment of the existing supply also includes a review of the sustainable urban extensions in the adopted Core Strategy, both of which have planning permission; North East of Leicester (LUA2) and West of Loughborough (LUC2). These two SUEs contribute a significantly to the five year supply and plan period supply. Whilst we accept these SUEs remain deliverable in principle, we nonetheless contend that the delivery assumptions are in all cases over-optimistic and should be revised downwards. The full assessment details for the SUEs is set out in **Appendix 2**.
- 4.5 We contend that the total deliverable supply from existing sources of supply should be reduced from 5,941 to 3,835 dwellings, a reduction of 2,106 dwellings.

## 5 FUTURE SUPPLY (EXAM 58J AND EXAM 58K)

### New Site allocations

- 5.1 Under EXAM 58J and 58K, the Council sets out the updated housing trajectory for the plan period (to 2037) and so includes the next five years' worth of deliverable land. The evidence on specific sites (in EXAM 58K) focuses on those proposed site allocations without planning permission.
- 5.2 Once again, we have applied the deliverability tests in the PPG to assess whether, in our opinion, those sites meet the definition of deliverable. In particular, we have looked at whether any further evidence has been published as part of the updated documentation to demonstrate 'firm progress' is being made in bringing forward sites towards a planning application. Our assessment of the proposed site allocations without permission is set out in **Appendix 3**.
- 5.3 From the sites listed in EXAM 58 J and 58K, we deduce that 25 proposed housing site allocations have been added to the trajectory, totalling 1,546 dwellings. Of these, we dispute the deliverability assumptions on 10 sites put forward by the Council. We dispute these sites on the basis of a lack of further clear evidence to demonstrate firm progress towards a planning application, or no evidence at all. For example, there are a number of cases where no statements of common ground (SOCGs) or other supporting evidence on deliverability has been presented through the examination process to justify their inclusion on the first five years (see deliverability comments for details on these sites).
- 5.4 We contend that the deliverable supply from newly allocated sites should be reduced from 1,546 to 927 dwellings, a discount of 619 dwellings. This is significant reduction in the quantum of supply from the new sites, but this merely reflects the reliance on 'further evidence' that clearly demonstrates a proportion of these sites have realistic prospects that dwellings will be completed within the next five years, in accordance with the national policy definition.
- 5.5 For comparison, if we only discount those proposed site allocations where no SOCGs or post-hearing evidence has been submitted (these cover eight of the ten disputed sites we have identified) the deliverable supply from this source is 1,130 dwellings, a deduction of 416 dwellings (meaning the discount is 203 less dwellings). We show the impact of this 'comparison adjusted' on the supply position alongside our main analysis in the next section of this submission.

### Windfall allowance

- 5.6 We have reviewed the approach on small windfall sites. The Council continue to apply a 63 dpa allowance (in years 4 and 5 of the five year period onwards) totalling 126 dwellings. In light of the fact there are no proposed modifications to the allowance, we do not dispute this relatively minor allowance in the updated supply calculation.

## 6 SUMMARY OF DEDUCTIONS AND REVISED SUPPLY CALCULATION (EXAM 58L)

### Deductions

- 6.1 As a result of our assessment of supply sources, we contend that an overall deduction of 2,305 should be applied to the updated land supply position in Charnwood.

| Sources of supply  | LPA          | RPS          | Deductions   |
|--|--------------|--------------|--------------|
| EXAM 58M: Updated Housing Land Supply Site List April 2024 | 5,941        | 4,255        | 1,686        |
| EXAM 58J/58K[1] Housing Trajectory Update                  | 1,546        | 927          | 619          |
| EXAM 58J (windfalls)                                       | 126          | 126          | 0            |
| <b>Total</b>   | <b>7,613</b> | <b>5,308</b> | <b>2,305</b> |

- 6.2 The scale of the deductions are considered reasonable based on the evidence presented, a situation that clearly reflects the Council's reliance on sites over the next five years that are not deemed to be deliverable 'in principle', notably those major development sites that do not benefit from detailed planning permission.

- 6.3 It is reasonable to expect that further clear evidence of firm progress towards a planning application is required to justify the inclusion of the disputed sites included within the next five years. That is the purpose of national policy and guidance on housing supply and delivery. On many sites, as shown in our assessment, it is our opinion the information relied upon falls short of the deliverability test set in national policy and guidance and so those sites should not be included in the first five years on adoption of the plan. The impact this has on the supply position in Charnwood is set out below.

### Adjusted Supply position

- 6.4 Based on all our foregoing analysis, we present our supply calculations for consideration. These apply both the 'Sedgefield' and 'Liverpool' methods for comparison and completeness.

| Sedgefield Method  |  | LPA<br>(EXAM 58L) | RPS              | RPS<br>(comparison adjusted) |
|--|--|-------------------|------------------|------------------------------|
| <b>Charnwood Borough Housing Supply as at 1 April 2024</b> |  |                   |                  |                              |
|  | Charnwood Borough housing requirement from 1 April 2024 (1,189 dwellings per annum).   | <b>1,189 dpa</b>  | <b>1,189 dpa</b> | <b>1,189 dpa</b>             |
| a  | Number of dwellings required for five years 1 April 2024 to 31 March 2029 (1,189 x five years).  | <b>5,945</b>      | <b>5,945</b>     | <b>5,945</b>                 |
| b  | Number of dwellings required for five years 1 April 2023 to 31 March 2028 including the deficit (5,945 + 1,293).   | <b>7,238</b>      | <b>7,238</b>     | <b>7,238</b>                 |
| c  | Number of dwellings required for five years 1 April 2024 to 31 March 2029 including the deficit and 5% (rounded up) to ensure choice and competition in the market for land (NPPF 2021 paragraph 74 a) (7,238 x 5% = 362). | <b>7,600</b>      | <b>7,600</b>     | <b>7,600</b>                 |
| d  | Estimated supply of deliverable sites for five years 1 April 2024 to 31 March 2029.  | <b>7,613</b>      | <b>5,308</b>     | <b>5,511</b>                 |
| e  | Surplus over requirement (d - c).  | <b>+13</b>        | <b>-2292</b>     | <b>-2089</b>                 |
| f  | Annual housing target (c divided by five years).   | <b>1,520</b>      | <b>1,520</b>     | <b>1,521</b>                 |

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|          |   |             |             |             |
|----------|---|-------------|-------------|-------------|
| <b>g</b> | <b>Number of years supply (d divided by f).</b> | <b>5.01</b> | <b>3.49</b> | <b>3.63</b> |
|----------|---|-------------|-------------|-------------|

6.5 As you can see above, the impact of our deductions point to a significant reduction in the updated supply position when past under-delivery is accounted for in the next five years. It is not surprising that the supply position falls significantly below the five year threshold at 3.49 years. When accounting of discounting those allocations without permission with no SOCGs for post-hearing evidence only, the supply is still 3.63 years.

| <b>Liverpool Method</b>                                    |   | <b>LPA</b>       | <b>RPS<br/>(EXAM 58L)</b> | <b>RPS<br/>(comparison adjusted)</b> |
|--|---|------------------|---------------------------|--------------------------------------|
| <b>Charnwood Borough Housing Supply as at 1 April 2024</b> |   |                  |                           |                                      |
|  | Charnwood Borough housing requirement from 1 April 2024 (1,189 dwellings per annum).  | <b>1,189 dpa</b> | <b>1,189 dpa</b>          | <b>1,189 dpa</b>                     |
| <b>a</b>   | Number of dwellings required for five years 1 April 2024 to 31 March 2029 (1,189 x five years).   | <b>5,945</b>     | <b>5,945</b>              | <b>5,945</b>                         |
| <b>b</b>   | Number of dwellings required for five years 1 April 2024 to 31 March 2029 including the deficit spread over the remainder of the plan period (5,945 + (1,293 / 13 years x 5 rounded up = 498)).                                   | <b>6,443</b>     | <b>6,443</b>              | <b>6,443</b>                         |
| <b>c</b>   | Number of dwellings required for five years 1 April 2024 to 31 March 2029 including the deficit <u>and</u> 5% (rounded up) to ensure choice and competition in the market for land (NPPF 2021 paragraph 74 a) (6,443 x 5% = 323). | <b>6,766</b>     | <b>6,766</b>              | <b>6,766</b>                         |
| <b>d</b>   | Estimated supply of deliverable sites for five years 1 April 2024 to 31 March 2029.   | <b>7,613</b>     | <b>5,308</b>              | <b>5,511</b>                         |
| <b>e</b>   | Surplus over requirement (d - c).   | <b>+847</b>      | <b>-1458</b>              | <b>-1255</b>                         |
| <b>f</b>   | Annual housing target (c divided by five years) (rounded up).   | <b>1,354</b>     | <b>1,354</b>              | <b>1,355</b>                         |
| <b>g</b>   | <b>Number of years supply (d divided by f).</b>   | <b>5.62</b>      | <b>3.92</b>               | <b>4.07</b>                          |

6.6 More notable is that even when applying the less stringent method for dealing with past under-delivery of housing over the remaining plan period, which we do not support, the updated supply position does not improve to any great degree and remains substantially below the five year threshold at 3.92 years. When accounting of discounting those allocations without permission with no SOCGs for post-hearing evidence only, the supply is still 4.07 years.

6.7 The impacts on the overall supply highlighted here are clearly symptomatic of the over-reliance on sites without planning permission and sites with permission where the evidence is not, in our opinion, sufficient to justify their inclusion in the deliverable supply on adoption.

## 7 CONCLUSIONS

- 7.1 On 20 February 2024, the local plan Inspectors wrote to CBC (Exam 80). In that letter, the Inspectors requested the Council should update the land supply information submitted by CBC to date in order to reflect completions and commitments as at 31 March 2024. They also requested that the updated documents should be made available for consultation alongside the consultation on the main modifications to the Plan (PMMs).
- 7.2 This submission is a response to the updated land supply and housing trajectory information published by the Council, which brings the position up to 1 April 2024. The submission is made on behalf of the Clients.
- 7.3 The Council now claim they can demonstrate a deliverable supply of 7,613 dwellings for the five-year period (2024-29). Using the 'Sedgefield' method, the supply (in years) is 5.01; using the 'Liverpool' method, it is 5.62 years. We dispute the updated position, whichever method is used to deal with past under delivery. We base our position having tested the deliverability evidence relied upon by the Council in the published documents .
- 7.4 The findings are summarised below:
- Based on our assessment, we have identified 17 sites within the existing supply (EXAM 58M) where we dispute the deliverability assumptions put forward by the Council. Our full assessment is set out in **Appendix 1**.
  - Our assessment includes a review of two sustainable urban extensions in the adopted Core Strategy, both of which have planning permission; North East of Leicester (LUA2) and West of Loughborough (LUC2). Whilst we accept these SUEs remain deliverable in principle, we nonetheless contend that the delivery assumptions are in all cases over-optimistic and should be revised downwards. The full assessment details for the SUEs is set out in **Appendix 2**.
  - We contend that the total deliverable supply from existing sources of supply should be reduced from 5,941 to 4,255 dwellings, a discount of 1,686 dwellings.
  - In relation to future supply (those sites not included in EXAM 58M) our assessment has reviewed the proposed site allocations without permission. These sites are presented in the updated trajectory (EXAM 58J) and supporting notes (EXAM 58K). Our assessment of the proposed site allocations without permission is set out in **Appendix 3**.
  - We contend that the deliverable supply from newly allocated sites should be reduced from 1,546 to 927 dwellings, a discount of 619 dwellings. For comparison, we have included a scenario where only those proposed site allocations without permission are discounted where no further evidence (either statements of common grounds or post-hearing evidence have been submitted to the examination), Under this ('Comparison adjusted ') scenario, the deliverable supply is 1,130 dwellings, based on a lightly lower deduction of 416 dwellings.

- The windfall allowance (63 dpa) is not in dispute.
- Based on our analysis, we contend that an overall discount of 2,305 dwellings should be applied to the updated land supply position in Charnwood.
- In this situation, we contend the supply position in Charnwood on adoption ranges between 3.49 – 3.63 years when the shortfall is dealt with over the next five years (the ‘Sedgefield’ method), and between 3.92 – 4.07 years when the shortfall is spread over the remainder of the plan period.

7.5 We contend our analysis shows that the Council’s updated supply evidence brings into question their ability to demonstrate a five year housing land supply from the intended date of adoption of the Plan, which was specifically requested by the Inspectors in their correspondence with the Council in 2022.

7.6 Furthermore, a broader conclusion can be drawn here in that by pushing back some of the supply beyond of the five year period, this could also jeopardise the Council’s ability to address the shortfall over the next five years on adoption of the Plan, which is a key purpose of the updated Plan supply assessment and which is also a key part in demonstrating the Plan is soundly-based.

7.7 This, we contend, means that the Council should reconsider their approach to bringing land forward and the assumptions which they have made in identifying the deliverable supply of land, in line with planning guidance<sup>10</sup>. This can be achieved by identifying additional sustainable and deliverable sites that can address the shortfall and forward supply in the early years of the plan.

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<sup>10</sup> Paragraph: 031 Reference ID: 68-031-20190722 Revision date: 22 July 2019

Appendix 1

| Site type   | Planning application | Site address   | Details   | Approval date | Decision date | Local Plan ref | Housing delivery source (see also EXAM 58K for details)  | Built | Remain ing          | Status  | 2024/25 | 2025/26 | 2026/27 | 2027/28 | 2028/29 | LPA - in supply | RPS 2024 to | RPS 2025 to | RPS 2026 to | RPS 2027 to | RPS 2028 to | RPS - in supply | RPS - comments  | Dispute?  | discount |     |
|-------------|----------------------|--|---|---------------|---------------|----------------|--|-------|---------------------|---|---------|---------|---------|---------|---------|-----------------|-------------|-------------|-------------|-------------|-------------|-----------------|---|---|----------|-----|
| large sites | P/21/0869/2          | 97 Gynsill Lane, Anstey, Leicestershire LE7 7AJ                                  | Outline application for up to 40 dwellings with all matters reserved except access.   |               | 19/01/2024    | HA13           | Consultation response (2024). No reserved matters application has been received (to date).   | 0     | 40                  | Outline permission  |         |         | 20      | 20      |         | 40              | 0           | 0           | 0           | 0           | 0           | 0               | 0   | Consultation response not published. No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance. LPA has consulted LCC Highways who have raised issues with the transport contributions strategy which may be delaying progress on agreeing the s106 and issuing the consent - remove site in full  | y        | 40  |
| large sites | P/23/0191/2          | 97 Gynsill Lane, Anstey, Leicestershire LE7 7AJ                                  | Outline Planning Application for up to 20 dwellings (All Matters Reserved except Access - Phase 2)  | 21/09/2023    |               |                | Delivery rates to be added when information is provided. No reserved matters application has been received (to date).  | 0     | 20                  | Outline approved subject to signing of s106                         |         |         |         |         |         | 0               | 0           | 0           | 0           | 0           | 0           | 0               | 0   | agreed  | n        | 0   |
| large sites | P/21/2425/2          | 5 Latimer Street, Anstey, Leicestershire LE7 7AW                                 | Residential development for 11 apartments and associated parking  |               | 12/10/2023    |                | Assume housing delivery two years from decision date.  | 0     | 11                  | Detailed permission   |         | 11      |         |         |         | 11              | 0           | 11          | 0           | 0           | 0           | 0               | 11  | agreed  | n        | 0   |
| large sites | P/15/0229/2          | Land at Melton Road, Barrow Upon Soar, Leicestershire                            | Erection of 291 dwellings (Reserved matters - Outline application P/10/1518/2 refers).  |               | 14/06/2016    |                | Based on past delivery rate as site is currently under construction.   | 246   | 45                  | Under construction  | 35      | 10      |         |         |         | 45              | 35          | 10          | 0           | 0           | 0           | 45              | agreed  | n   | 0        |     |
| large sites | P/21/0760/2          | Land South of Melton Road, Barrow Upon Soar, Leicestershire                      |   | 22/12/2022    |               | HA45           | Consultation response (2024). No reserved matters application has been received (to date).   | 0     | 130                 | Outline approved subject to signing of s106                         |         |         |         | 40      | 40      | 80              | 0           | 0           | 0           | 0           | 0           | 0               | 0   | Consultation response not published. No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance. LPA has consulted LCC Highways who have raised issues with the transport contributions strategy which may be delaying progress on agreeing the s106 and issuing the consent. No SOCG submitted to CLP examination. Remove site in full   | y        | 80  |
| large sites | P/21/0759/2          | Land off Melton Road, Barrow Upon Soar, Leicestershire                           | Outline application for up to 135 new dwellings, with all matters reserved except access.   | 12/04/2023    |               | HA46           | Consultation response (2024). No reserved matters application has been received (to date).   | 0     | 135                 | Outline approved subject to signing of s106                         |         |         |         | 40      | 40      | 80              | 0           | 0           | 0           | 0           | 0           | 0               | 0   | Consultation response not published. No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance. LPA has consulted LCC Highways who have raised issues with the transport contributions strategy which may be delaying progress on agreeing the s106 and issuing the consent. No SOCG submitted to CLP examination. Remove site in full.  | y        | 80  |
| large sites |                      | Residual of Allocation, Land off Nottingham Road                                 | Residual of Borough of Charnwood Local Plan (2004) Allocation for 10 dwellings  |               |               |                | Delivery rates to be added when planning application is submitted or permission granted.   | 0     | 10                  | Allocation  |         |         |         |         |         | 0               | 0           | 0           | 0           | 0           | 0           | 0               | 0   | agreed  | n        | 0   |
| large sites | P/21/1105/2          | Loughborough Road, Burton On The Wolds, Leicestershire                           | Outline application for residential development of 56 dwellings, public open space and associated works (all matters reserved except for access). Reserved matters application submitted for 56 dwellings (P/24/0610/2) pending consideration.  |               | 26/07/2023    |                | Consultation response (2024). Reserved matters application submitted and pending consideration.  | 0     | 56                  | Outline permission allowed (Reserved matters pending consideration) |         |         | 21      | 35      |         | 56              | 0           | 0           | 21          | 35          | 0           | 56              | Consultation response not published. Application allowed on appeal. Lead-in times are realistic given number of dwellings approved - retain | n   | 0        |     |
| large sites | P/21/2028/2          | Land off Melton Road, Burton On The Wolds, Leicestershire LE12 5AL               | Approval of reserved matters in relation to appearance, landscaping, layout and scale pursuant to Outline Planning Permission Ref. P/19/0041/2 [70 homes]   |               | 27/05/2022    |                | Previous consultation response (2023). Site is currently under construction.   | 17    | 53                  | Under construction  | 40      | 13      |         |         |         | 53              | 40          | 13          | 0           | 0           | 0           | 53              | agreed  | n   | 0        |     |
| large sites | P/21/0615/2          | Sturdee Poultry Farm, Souters Lane, Burton On The Wolds, Leicestershire LE12 5AL | Outline Application for the erection of up to 60 residential dwellings, with all matters reserved except access. Reserved matters application submitted for 60 dwellings (P/23/0887/2) pending consideration  |               | 28/06/2022    |                | Previous consultation response (2023) which includes anticipated completions for 2024/25. Due to reserved matters currently pending consideration the housing delivery rates have been pushed back to 2026/27. | 0     | 60                  | Outline permission (Reserved matters pending consideration)         |         |         | 30      | 30      |         | 60              | 0           | 0           | 30          | 30          | 0           | 60              | agreed  | n   | 0        |     |
| large sites | P/20/2393/2          | Land off Humble Lane, Cossington, Leicestershire                                 | Development of up to 130 dwellings, provision of land for school expansion, open space and children's play area. Outline application with all matters reserved except access.   |               | 11/10/2022    | HA59           | Consultation response (2024). No reserved matters application has been received (to date).   | 0     | 130                 | Outline permission  |         |         | 25      | 40      | 40      | 105             | 0           | 0           | 0           | 0           | 0           | 0               | 0   | Consultation response not published. No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance. No SOCG submitted to CLP examination. Remove site in full  | y        | 105 |
| large sites | P/21/1446/2          | 102 Main Street, Cossington, LE7 4UX   | Erection of 57 dwellings, alterations to existing access and associated works.  |               | 22/02/2024    |                | Consultation response (2024).  | 0     | 57                  | Detailed approved subject to signing of s106                        |         | 5       | 35      | 17      |         | 57              | 0           | 0           | 0           | 0           | 0           | 0               | 0   | Consultation response not published. S106 signed and decision notice issued on 12/4/24. However, no reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance - remove site in full   | y        | 57  |
| large sites | P/20/2383/2          | Land off Melton Road, East Goscote, Leicestershire                               | Outline planning application for the erection of up to 270 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Melton Road. All matters reserved except for means of access. Reserved matters application submitted for 256 dwellings (P/22/2279/2) pending consideration. |               | 01/11/2022    | HA60           | Consultation response (2024).  | 0     | 256                 | Outline permission (Reserved matters pending consideration)         |         |         |         |         | 36      | 36              | 0           | 0           | 0           | 0           | 0           | 0               | 0   | Consultation response not published. RM application (P/22/2279/2) refused on 28/6/24. No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance. No SOCG submitted to CLP examination. Remove site in full   | y        | 36  |
| large sites | P/21/1797/2          | Land off Zouch Road, Hathern, Leicestershire                                     | Erection of 56 no. dwellings and associated landscaping and infrastructure (as amended by revised layouts and supporting documents)   |               | 27/07/2023    | HA63           | Consultation response (2024).  | 0     | 56                  | Detailed approved subject to signing of s106                        | 5       | 40      | 11      |         |         | 56              | 5           | 40          | 11          | 0           | 0           | 56              | Consultation response not published. Planning application granted consent 12 April 2024, but submitted before the base date - retain        | n   | 0        |     |
| large sites | P/20/2199/2          | Land off Leconfield Road, Nanpantan, Loughborough                                | Outline application for residential development with associated infrastructure for up to 30 dwellings, including detail of associated point of access. All other matters (landscaping, scale, layout and appearance) reserved.  |               | 05/05/2023    |                | Delivery rates to be added when information is provided. No reserved matters application has been received (to date).  | 0     | 30                  | Outline permission allowed  |         |         |         |         |         | 0               | 0           | 0           | 0           | 0           | 0           | 0               | 0   | agreed  | n        | 0   |
| large sites | P/23/0805/2          | Land at Limehurst Avenue, Loughborough, Leicestershire LE11 1PA                  | Demolition of existing buildings and development of purpose-built student accommodation (sui generis) with associated amenity facilities, landscaping, parking and external works. [Two blocks of student accommodation total 541-bed]  |               | 14/12/2023    | HA26           | Consultation response (2024).  | 0     | 541-bed = 216 homes | Detailed approved subject to signing of s106                        |         |         |         |         | 216     | 216             | 0           | 0           | 0           | 0           | 0           | 0               | 0   | Consultation response not published. Planning application resolution to grant subject to s106 agreement being signed 14 December 2023. However, s106 still not signed (at time of writing). Googlemaps imaging (Sept 2022) shows existing buildings and structures on the site, part demolished. No timetable when the s106 will be signed. No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance. Information submitted to the CLP examination (EXAM 9a) predates the consent. Remove site in full. | y        | 216 |



|             |                             |   |   |            |             |  |    |                    |   |   |  |  |  |  |    |    |    |     |    |     |     |     |     |     |        |   |     |     |     |                |   |     |
|-------------|-----------------------------|---|---|------------|-------------|--|----|--------------------|---|---|--|--|--|--|----|----|----|-----|----|-----|-----|-----|-----|-----|--------|---|-----|-----|-----|----------------|---|-----|
| large sites | P/21/0550/2                 | Main Street, Woodthorpe, Loughborough, Leicestershire                 | Outline application with all matters reserved (except for access) for development of up to 120 new dwellings with access from Main Street, Woodthorpe, Loughborough. Reserved matters application submitted for 120 dwellings (P/23/1635/2) pending consideration.  | 18/11/2022 | HA15 (part) | Consultation response (2024) which includes anticipated completions starting in 2024/25. Due to reserved matters currently pending consideration the housing delivery rates have been pushed back to 2026/27. Note this site is part of HA15 and includes housing delivery rates | 0  | 120                | Outline allowed subject to signing of s106 (Reserved matters pending consideration) |   |  |  |  |  | 25 | 50 | 45 | 120 | 0  | 0   | 25  | 50  | 45  | 120 | agreed | n   | 0   |     |     |                |   |     |
| large sites | P/18/0431/2                 | Park Grange Farm, Newstead Way, Loughborough Leicestershire LE11 2FB  | Conversion, alterations and extensions to farmhouse and outbuildings to create 13 dwellings and construction of two dwellings. (Revised scheme - P/17/0550/2 refers)  | 01/11/2021 | HA19        | Evidence of progress being made as planning application submitted for variation to consist of layout changes, demolition of outbuildings and rebuild outbuildings. Assume construction work  | 0  | 15                 | Detailed permission   |   |  |  |  |  | 15 |    |    | 15  | 0  | 0   | 15  | 0   | 0   | 15  | agreed | n   | 0   |     |     |                |   |     |
| large sites | P/21/0171/2                 | 144 Nottingham Road, Loughborough LE11 1EX                            | Construction of new four/five storey apartment building comprising of 16 No. one and two bedroom flats, with associated hard landscape courtyard amenity space, planting, cycle and bin storage following demolition of existing buildings  | 23/02/2022 |             | Consultation response (2024).  | 0  | 16                 | Detailed permission   |   |  |  |  |  | 16 |    |    | 16  | 0  | 16  | 0   | 0   | 0   | 16  | agreed | n   | 0   |     |     |                |   |     |
| large sites | P/22/1414/2                 | Crystal Hand Car Wash, 11 Pinfold Gate, Loughborough, Leicestershire  | Erection of 5 storey accommodation to provide 22no. Student Cluster Flats and ancillary accommodation with associated landscaping works. [22 cluster flats comprising of 100 single person bedrooms]  | 18/09/2023 |             | Assume housing delivery two years from decision date.  | 0  | 100-bed = 40 homes | Detailed permission   |   |  |  |  |  | 40 |    |    | 40  | 0  | 40  | 0   | 0   | 0   | 40  | agreed | n   | 0   |     |     |                |   |     |
| large sites | P/20/1404/2                 | The Former Druid Arms, Pinfold Gate, Loughborough LE11 1BE            | Demolition of existing buildings and erection of a 52-bed student accommodation scheme with associated landscaping works.   | 02/11/2021 |             | Previous consultation response (2022).   | 0  | 52-bed = 20 homes  | Detailed permission   |   |  |  |  |  | 20 |    |    | 20  | 20 | 0   | 0   | 0   | 0   | 20  | agreed | n   | 0   |     |     |                |   |     |
| large sites | P/14/1833/2                 | West of Loughborough SUE (Garendon Park)                              | Outline planning permission for residential development up to 3,200 dwellings; up to 16 ha of employment land of B1/B2 and B8 uses; a mixed-use Community Hub of up to 4 ha comprising a local convenience retail unit (2,000 sqm); up to 1,000 sqm of other A1 retail, A2 financial and professional services, A3 food and drink, B1 business and D1 uses, sites for Gypsy, Travellers and Travelling Showpeople provision totalling 1 ha; 2 primary schools up to 2 ha each; strategic open space including allotments; access roads and new Strategic Link Road; open space/landscaping and associated works; principal means of access; restoration of Garendon Park and assets; all other matters to be reserved. Persimmon Homes/ William Davis Homes Reserved Matters P/20/2187/2 (phase 1b = 251 homes) and P/20/0515/2 (phase 1a = 217 homes) granted for 468 dwellings. See separate entries below. | 20/07/2018 | LUC2        | Consultation response (2024). Projected completions include housing delivery rates for reserved matters P/20/0515/2, P/20/2187/2 and P/23/0293/2 (see below entries).  | 0  | 2,732              | Outline permission (and reserved matters - see below entries)                       |   |  |  |  |  |    |    |    | 51  | 66 | 210 | 250 | 250 | 827 | 51  | 66     | 123   | 123 | 123 | 486 | See Appendix 2 | y | 341 |
| large sites | P/20/0515/2                 | Land at West of Loughborough, Loughborough, Leicestershire            | Reserved Matters of outline planning permission P/14/1833/2 for the erection of 217 dwellings (phase 1a), including the discharge of outline conditions 11, 14, 39, 43 & 50. 14 homes built, 203 homes remaining.   | 19/07/2021 | LUC2 (part) | See above. Projected completions included in above entry.  | 79 | 138                | Under construction  | -----<br>-----<br>see above -<br>-----<br>----- |  |  |  |  |    |    |    | 0   |    |     |     |     |     | 0   | n      | 0   |     |     |     |                |   |     |
| large sites | P/20/2187/2 and P/23/0293/2 | Pear Tree Lane, Loughborough, Leicestershire                          | Reserved matters application comprising of 251 dwellings inclusive of access, appearance, landscaping and scale relating to Phase 1b and 1c of outline application P/14/1833/2  | 08/10/2021 | LUC2 (part) | Consultation response (2024). Projected completions included in above entry.   | 0  | 251                | Reserved Matters  | -----<br>-----<br>see above -<br>-----<br>----- |  |  |  |  |    |    |    | 0   |    |     |     |     |     | 0   | n      | 0   |     |     |     |                |   |     |
| large sites | P/20/0155/2                 | Radmoor House, Radmoor Road, Loughborough LE11 3BS                    | Erection of two managed student accommodation buildings to form 31 studio flats and 9 x one bed apartments with associated landscaping, access and parking provision.   | 02/06/2021 |             | Consultation response (2024)   | 0  | 40                 | Detailed permission allowed   |   |  |  |  |  | 40 |    |    | 40  | 0  | 40  | 0   | 0   | 0   | 40  | agreed | n   | 0   |     |     |                |   |     |
| large sites | P/21/1260/2                 | Land at Ashby Road, Markfield   | Outline planning application for residential development of up to 93 dwellings, public open space, landscaping and associated works. All matters reserved except for access.  | 12/05/2023 |             | Consultation response (2024). No reserved matters application has been received (to date).   | 0  | 93                 | Outline permission  |   |  |  |  |  | 35 | 35 | 23 | 93  | 0  | 0   | 0   | 0   | 0   | 0   | 0      | Consultation response not published. No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance - remove site in full | y   | 93  |     |                |   |     |
| large sites | P/20/2361/2                 | Land off Halstead Road, Mountsorrel, Leicestershire LE12 7HG          | Residential Development of 50 dwellings and associated infrastructure   | 08/11/2022 |             | Consultation response (2024). Site is currently under construction.  | 0  | 50                 | Under construction  |   |  |  |  |  | 24 | 26 |    | 50  | 24 | 26  | 0   | 0   | 0   | 50  | agreed | n   | 0   |     |     |                |   |     |
| large sites | P/20/2380/2                 | Barkby Road, Queniborough, Leicestershire                             | Outline application for up to 150 dwellings, together with new open space, landscaping and drainage infrastructure, with all matters reserved except for access (as amended to include proposed junction improvement works at Barkby Road cross roads, received 20/05/2022)   | 09/11/2023 |             | Consultation response (2024) which includes anticipated completions for 2024/25. No reserved matters application has been received (to date) so housing delivery rates have been pushed back to 2026/27.   | 0  | 150                | Outline permission allowed  |   |  |  |  |  | 15 | 35 | 35 | 85  | 0  | 0   | 0   | 0   | 0   | 0   | 0      | Consultation response not published. No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance - remove site in full | y   | 85  |     |                |   |     |
| large sites | P/20/2349/2                 | Land off Boonton Meadow Way including No. 65 Glebe Road, Queniborough | Residential development for the erection of up to 50 no. dwellings, with associated landscaping, open space, drainage infrastructure and access; and the demolition of No. 65 Glebe Road, Queniborough to facilitate the development of an emergency access. (Outline - Access only to be considered). Reserved matters application submitted for 47 dwellings (P/24/0047/2) pending consideration.   | 08/11/2022 |             | Consultation response (2024) which includes anticipated completions starting 2024/25. Due to reserved matters currently pending consideration the housing delivery rates have been pushed back to 2026/27.   | 0  | 47                 | Outline permission (reserved matters pending consideration)                         |   |  |  |  |  | 2  | 36 | 9  | 47  | 0  | 0   | 2   | 36  | 9   | 47  | agreed | n   | 0   |     |     |                |   |     |
| large sites | P/22/1168/2                 | Land off Gaddesby Lane, Rearsby, Leicestershire LE17 4YL              | Outline planning application for up to 65 dwellinghouses with all matters reserved except for access.   | 08/03/2024 | HA66        | Consultation response (2024) which includes anticipated completions for 2023/24. No reserved matters application has been received (to date) so housing delivery rates have been pushed back to 2026/27.   | 0  | 65                 | Outline permission  |   |  |  |  |  | 5  | 40 | 20 | 65  | 0  | 0   | 0   | 0   | 0   | 0   | 0      | Consultation response not published. No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance - remove site in full | y   | 65  |     |                |   |     |
| large sites | P/21/2085/2                 | Land North of Cossington Lane, Rothley, Leicestershire                | Outline application with all matters reserved (except for means of access) for up to 40 dwellings with associated access, drainage infrastructure and landscaping.  | 21/07/2023 | HA51        | Housing delivery rates based on housing trajectory (EXAM 58). No reserved matters application has been received (to date).   | 0  | 40                 | Outline permission  |   |  |  |  |  | 25 | 15 | 40 | 0   | 0  | 0   | 0   | 0   | 0   | 0   | 0      | No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance. EXAM33H only shows a site boundary. Remove site in full   | y   | 40  |     |                |   |     |

|             |                               |  |  |  |             |  |     |       |   |  |     |     |     |     |      |     |     |     |     |     |        |  |   |     |
|-------------|-------------------------------|--|--|--|-------------|--|-----|-------|---|--|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|--------|--|---|-----|
| large sites | P/20/2140/2                   | Land South of Farmers Way/ Brookfield Road, Rothley, Leicestershire        | Erection of new detached school building to rear of existing primary school including relocation of hard ball court, additional staff parking & extension to drop off car park with extended access (full application) and erection of up to 70 dwellings including landscaping, drainage infrastructure & access to existing allotments with all matters reserved except access (outline permission). Revised scheme P/20/0610/2 refers. Reserved matters application submitted for 70 dwellings (P/24/0390/2) pending consideration.   | 01/04/2022   |             | Consultation response (2024) which includes anticipated completions starting 2025/26. Due to reserved matters currently pending consideration the housing delivery rates have been pushed back to 2026/27.                         | 0   | 70    | Outline permission (Reserved matters pending consideration)   |  |     | 38  | 32  |     | 70   | 0   | 0   | 38  | 32  | 0   | 70     | agreed   | n | 0   |
| large sites | P/16/1660/2 and P/22/0333/2   | Land North of Birstall SUE (Broadnook)                                     | Hybrid planning application comprising: Outline application (with all matters reserved on those areas not subject to the detailed proposals) for erection of 1,950 residential dwellings (Use Class C3)... and detailed planning application relating to the erection of 193 dwellings (Use Class C3), erection of two separate lodge/gate houses (Use Class C3), a countryside park with sports pitches, sports pavilion, structural landscaping, biodiversity parkland, details of drainage and internal access roads, and the provision of the primary access including the details of the signalised roundabout to the A6 Dual Carriageway, site access works and the provision of a two way local link to Loughborough Road, Rothley. | 05/11/2020   | LUA3        | Consultation response (2024) which includes anticipated 265 completions for 2027/28. This figure has been amended to 250. Projected completions include housing delivery rates for reserved matters P/23/0499/2 (see below entry). | 0   | 1,843 | Under construction (193 dwellings only). Outline permission on remainder of site (and reserved matters - see below entry) | 106  | 191 | 222 | 250 | 249 | 1018 | 106 | 191 | 222 | 250 | 249 | 1018   | Agreed   | n | 0   |
| large sites | P/23/0499/2                   | Land North of Birstall, Birstall, Leicestershire                           | Reserved matters application for 107 dwellings and associated infrastructure at Parcel 1, including discharge of condition 16 iii (housing mix), 16 iv (site wide affordable housing strategy) and condition 17 (programme of reserved matters) (P/22/0333/2 relates)  | 20/10/2023   | LUA3 (part) | See above. Projected completions included in above entry.  | 0   | 107   | Under construction  | -----<br>-----<br>see<br>above -<br>-----<br>----- |     |     |     |     | 0    |     |     |     |     |     | 0      | n  | 0 |     |
| large sites | P/21/2045/2                   | Land South of Ashby Road Central, Shepshed LE12 9BS                        | Outline application for residential development of up to 50 dwellings with all matters reserved except for access. Reserved matters application submitted for 50 dwellings (P/23/2051/2) pending consideration   | 01/06/2023   | HA41        | Consultation response (2024) which includes anticipated completions for 2024/25. Due to reserved matters currently pending consideration the housing delivery rates have been pushed back to 2026/27.                              | 0   | 50    | Outline permission (Reserved matters pending consideration)   |  |     | 16  | 34  |     | 50   | 0   | 0   | 16  | 34  | 0   | 50     | agreed   | n | 0   |
| large sites | P/22/1524/2                   | Land off Ashby Road West, Shepshed, Leicestershire                         | Reserved Matters approval for 210 dwellings with associated access, landscaping, open space, sustainable drainage and other associated infrastructure, following approval of outline app. ref: P/20/2088/2.  | 03/04/2023   | HA31        | Previous consultation response (2023). Site is currently under construction.   | 0   | 210   | Under construction  | 50   | 50  | 50  | 50  | 10  | 210  | 50  | 50  | 50  | 50  | 10  | 210    | agreed   | n | 0   |
| large sites | P/20/2162/2                   | Land West of Ingleberry Road, Shepshed, Leicestershire                     | Residential development of up to 200 dwellings with associated access, landscaping, open space and drainage infrastructure (Outline - access to be considered). Reserved matters application submitted for 200 dwellings (P/24/0585/2) pending consideration.  | 28/03/2024   | HA40        | Consultation response (2024). Reserved matters application submitted and pending consideration.  | 0   | 200   | Outline permission (Reserved matters pending consideration)   |  | 31  | 50  | 50  | 50  | 181  | 0   | 31  | 50  | 50  | 50  | 181    | agreed   | n | 0   |
| large sites | P/22/2229/2                   | Land East of Iveshead Road, Shepshed, Leicestershire                       | Outline planning application (all matters reserved except for access) for up to 53 dwellings with associated access, public open space and landscaping, drainage and infrastructure works  | 22/01/2024   |             | Consultation response (2024) reveals that the site is in a process of being sold to a housebuilder. Delivery rates to be added when information is provided.   | 0   | 53    | Outline permission  |  |     |     |     |     | 0    | 0   | 0   | 0   | 0   | 0   | 0      | agreed   | n | 0   |
| large sites | P/21/0027/2                   | Land West of Iveshead Road, Shepshed, Leicestershire                       | Outline planning application (with all matters reserved except for access) for the erection of up to 50 dwellings with internal access roads, public open space, landscaping, surface water attenuation and associated infrastructure. Reserved matters application submitted for up to 50 dwellings (P/23/0241/2) pending consideration.  | 11/07/2022   |             | Reserved matters application submitted and pending consideration. Assume reserved matters granted permission during 2024/25 and housing delivery two years from decision date of reserved matters.                                 | 0   | 50    | Outline permission allowed (Reserved matters pending consideration)   |  |     | 25  | 25  |     | 50   | 0   | 0   | 25  | 25  | 0   | 50     | agreed   | n | 0   |
| large sites | P/17/0246/2 and P/20/1952/2   | Land at Oakley Road and Hallamford Road, Shepshed, Leicestershire LE12 9AU | Erection of 33 dwellings (Reserved Matters - Outline application P/13/1838/2 refers) 12 homes built, 21 homes remaining. P/20/1952/2 partial re-design of layout approved under P/17/0246 with addition of 4 plots (37 total). 25 homes remaining  | 23/08/2017 (P/17/0246/2) and 07/06/2023 (P/20/1952/2)    |             | Site visit in April 2023 confirms part of site built and work commenced on the remainder of the site. Housing delivery rates for the remainder of the site have been pushed back to 2024/25 as P/20/1952/2 granted in July 2023.   | 12  | 25    | Under construction  | 10   | 15  |     |     | 25  | 10   | 15  | 0   | 0   | 0   | 25  | agreed | n  | 0 |     |
| large sites | P/16/2056/2                   | Land at Tickow Lane, Shepshed, Leicestershire                              | Erection of 180 dwellings (Reserved Matters application - outline planning permission - P/14/1604/2 refers).   | 27/07/2017   |             | Based on past delivery rate as site is currently under construction.   | 127 | 53    | Under construction  | 26   | 27  |     |     | 53  | 26   | 27  | 0   | 0   | 0   | 53  | agreed | n  | 0 |     |
| large sites | P/21/0738/2                   | Land off Barnards Drive, Sileby, Leicestershire                            | An outline planning application for the erection of up to 228 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point. All matters reserved except for means of access.  | 06/03/2023   | HA53        | Evidence of progress being made as pre-application advice submitted in summer 2023. No reserved matters application has been received (to date). Assume reserved matters submitted during 2024/25.                                 | 0   | 228   | Outline permission  |  |     | 20  | 40  | 40  | 100  | 0   | 0   | 0   | 0   | 0   | 0      | No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance. No SOCG submitted to CLP examination. Remove site in full. | y | 200 |
| large sites | P/21/0549/2                   | Land at Cemetery Road, Sileby, Leicestershire                              | Erection of 108 dwellings with access served off Cemetery Road. Variation of conditions 2, 3, 4, 5, 6, 7, 8, 9, 10, 17, and 19 of P/16/1359/2.   | 24/12/2021   |             | Consultation response (2024). Site is currently under construction.  | 13  | 95    | Under construction  | 50   | 31  | 14  |     | 95  | 50   | 31  | 14  | 0   | 0   | 95  | agreed |  | 0 |     |
| large sites | P/21/0491/2 (and P/22/2309/2) | Land East of Cossington Road, Sileby, Leicestershire                       | Outline planning application for up to 170 dwellings (including affordable housing) with all matters reserved other than access together with associated landscaping and other infrastructure. Reserved matters for up to 170 dwellings with associated access, landscaping and infrastructure (P/22/2309/2) granted in April 2024.  | 13/06/2022 (22/04/2024 for reserved matters P/22/2309/2) |             | Consultation response (2024). Reserved matters granted 22 April 2024.  | 0   | 170   | Outline permission allowed (Reserved matters granted April 2024)  | 15   | 35  | 35  | 35  | 35  | 155  | 15  | 35  | 35  | 35  | 35  | 155    | agreed   |   | 0   |
| large sites | P/19/1683/2 and P/19/2162/2   | Peashill Farm, Ratcliffe Road, Sileby, Leicestershire LE12 7QB             | Reserved matters (appearance, scale, layout and landscaping) in respect of Outline Application P/17/1578/2 for the demolition of one dwelling and Erection of 170 dwellings plus P/19/2162/2 erection of 31 dwellings. net Total 200.  | 04/11/2020 (P/19/1683/2) and 26/05/2021 (P/19/2162/2)    |             | Based on past delivery rate as site is currently under construction.   | 151 | 49    | Under construction  | 49   |     |     |     | 49  | 49   | 0   | 0   | 0   | 0   | 49  | agreed |  | 0 |     |
| large sites | P/21/2131/2                   | Peashill Farm, Ratcliffe Road, Sileby LE12 7QB                             | Outline planning application with all matters reserved (except for access) for the development of up to 175 dwellings with associated infrastructure, accesses, landscaping and open space   | 13/02/2023   |             | Consultation response (2024). No reserved matters application has been received (to date).   | 0   | 175   | Outline permission  |  |     | 25  | 40  | 40  | 105  | 0   | 0   | 0   | 0   | 0   | 0      | Consultation response not published. No reference in the Council's updated HLS information that demonstrates clear evidence the site is deliverable in accordance with national policy and guidance - remove site in full  | y | 105 |





|             |             |   |  |  |             |   |    |    |  |  |  |    |  |  |    |  |  |    |  |  |    |
|-------------|-------------|---|--|--|-------------|---|----|----|--|--|--|----|--|--|----|--|--|----|--|--|----|
| small sites | P/22/1152/2 | Development land at site of Former 5 Granby Street, Loughborough  | Erection of building comprising one retail unit at ground floor (Use Class E(a)) with 9no self-contained flats above with associated cycle store and refuse/recycling facilities.  | 03/04/2023                             |             | Assume three years from decision date.  | 0  | 9  | Detailed permission                          |  |  | 9  |  |  | 9  |  |  | 9  |  |  | 0  |
| small sites | P/23/1014/2 | 37 Granby Street, Loughborough, Leicestershire LE11 2DU           | Change of use from mixed commercial and residential use to a dwellinghouse (Use Class C3) with proposed rear dormer extension, new roof lights to rear, and fenestration.  | 24/08/2023                             |             | Assume three years from decision date.  | 0  | 0  | Detailed permission                          |  |  | 0  |  |  | 0  |  |  | 0  |  |  | 0  |
| small sites | P/24/0004/2 | The Schofield Centre, Greenclose Lane,                            | Prior Approval (Class MA) for conversion of first floor (Use Class E) to provide 5no. residential units (Use Class C3).  | 05/03/2024                             |             | Delivery rates to be added when information is available.   | 0  | 5  | Change of Use Prior Notification             |  |  | 0  |  |  | 0  |  |  | 0  |  |  | 0  |
| small sites | P/23/0201/2 | Tudor House, Greenclose Lane, Loughborough                        | Change of use of ground floor from office (Use Class E) to a one-bed flat (Use Class C3)   | 11/05/2023                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/23/0434/2 | Annie's Wharf, Hanford Way, Loughborough,                         | Erection of detached dwelling with associated parking  | 30/10/2023                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/22/0621/2 | 9 Herrick Road, Loughborough, Leicestershire LE11 2BP             | Single storey and two storey extensions, erection of new pitched roof, loft conversion and associated external works to form 1x5 Bedroom Flat (C4) 1x7 Bedroom Flat (Sui Generis)  | 03/05/2022                             |             | Site is currently under construction.   | 0  | 3  | Under construction                           |  |  | 3  |  |  | 3  |  |  | 3  |  |  | 3  |
| small sites | P/21/1766/2 | 18 - 20 High Street, Loughborough, Leicestershire LE11 2PZ        | Change of Use from Offices (Class E) to Dwellinghouses (Class C3).   | Prior approval not required 25/10/2021 |             | Delivery rates to be added when information is available.   | 0  | 6  | Change of Use Prior Notification             |  |  | 0  |  |  | 0  |  |  | 0  |  |  | 0  |
| small sites | P/23/1080/2 | 39 Holmfield Avenue, Loughborough,                                | Change of use from dwelling house (Use Class C3) to a Children's Home to accommodate a maximum of 1 child (Use Class C2)   | 04/10/2023                             |             | Assume three years from decision date.  | 0  | -1 | Detailed permission                          |  |  | -1 |  |  | -1 |  |  | -1 |  |  | -1 |
| small sites | P/23/1414/2 | 62 Holt Drive,  | Outline Application for erection of single storey dwellinghouse  | 25/09/2023                             |             | Assume three years from decision date.  | 0  | 1  | Outline permission                           |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/18/1358/2 | 16 Hudson Street, Loughborough LE11 1EJ                           | Demolition of existing building and erection of 1 x 1 bedroom flats and 8 x 2 bedroom flats and associated parking.  | 03/06/2021                             |             | Assume three years from decision date.  | 0  | 9  | Detailed permission                          |  |  | 9  |  |  | 9  |  |  | 9  |  |  | 9  |
| small sites | P/21/1672/2 | Kingfisher Halls, Kingfisher Way, Loughborough,                   | Conversion and extension of roof to student hall of residence to provide an additional 5 studios.  | 04/11/2021                             |             | Assume three years from decision date.  | 0  | 2  | Detailed permission                          |  |  | 2  |  |  | 2  |  |  | 2  |  |  | 2  |
| small sites | P/22/1425/2 | 146 Knightthorpe Road Loughborough LE11 5JU                       | Application for the change of use of a dwelling (Use Class C3a) to a children's home (Use Class C2) for a maximum of four children, with three carers, two carers of whom sleep.   | 26/05/2022                             |             | Assume three years from decision date.  | 0  | -1 | Detailed permission                          |  |  | -1 |  |  | -1 |  |  | -1 |  |  | -1 |
| small sites | P/14/0711/2 | Land adj to 116 Leconfield  | Erection of dwelling   | 06/06/2014                             |             | Site visit in April 2024 confirms site is currently   | 0  | 1  | Under construction                           |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/23/1440/2 | Elm Cottage, 142 Leicester Road, Loughborough,                    | Change of use from dwelling house (Use Class C3) to a Children's Home (Use Class C2) for a maximum of 4 children.  | 19/09/2023                             |             | Assume three years from decision date.  | 0  | -1 | Detailed permission                          |  |  | -1 |  |  | -1 |  |  | -1 |  |  | -1 |
| small sites | P/24/0066/2 | 144 Leicester Road, Loughborough,                                 | Proposed change of use from dwellinghouse (Use Class C3) to Children's home class (Use Class C2).  | 06/03/2024                             |             | Assume three years from decision date.  | 0  | -1 | Detailed permission                          |  |  | -1 |  |  | -1 |  |  | -1 |  |  | -1 |
| small sites | P/20/2221/2 | 168 - 170 Leicester Road, Loughborough, Leicestershire LE11 2AH   | Use of existing orthodontic practice at No. 168 with one additional consultation room (4 in total), change of use of dwelling (Class C3) at No. 170 to office and staff facilities/amenity space ancillary to orthodontic practice.                | 15/09/2021                             |             | Assume three years from decision date.  | 0  | -1 | Detailed permission                          |  |  | -1 |  |  | -1 |  |  | -1 |  |  | -1 |
| small sites | P/23/0464/2 | 64 Leopold Street, Loughborough,                                  | Conversion of dwellinghouse (Class C3) to form 3no. residential apartments (Class C3) and erection of single storey  | 15/05/2023                             |             | Assume three years from decision date.  | 0  | 2  | Detailed permission                          |  |  | 2  |  |  | 2  |  |  | 2  |  |  | 2  |
| small sites | P/23/2178/2 | 128 Leopold Street, Loughborough,                                 | Two storey side/rear extension, with single storey side extension, and conversion into 2 flats.  | 07/02/2024                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/22/1928/2 | Canal House, Lisle Street, Loughborough,                          | Mansard extension at roof level to accommodate 9no residential flats.  | 09/11/2023                             |             | Assume three years from decision date.  | 0  | 9  | Detailed permission                          |  |  | 9  |  |  | 9  |  |  | 9  |  |  | 9  |
| small sites | P/21/2610/2 | 2-7 Market Street & 35 and 36 Cattle Market Loughborough LE11 3EP | Change of use of first and second floors from Class E (Retail) to Class C3 (Residential) to form 7no. self-contained flats with associated alterations and cycle/cupboard store  | 11/04/2022                             | HA23 (part) | Assume three years from decision date.  | 0  | 7  | Detailed permission                          |  |  | 7  |  |  | 7  |  |  | 7  |  |  | 7  |
| small sites | P/21/0671/2 | 20 Market Street, Loughborough LE11 3ER                           | Change of use of the first floor of the retail unit to provide two multiple occupation flats (Use Class C4) and erection of first floor extensions and alterations to the rear provide three single storey extension to form 1.no two-bedroom flat | 01/06/2021                             |             | First floor of the retail unit to provide two multiple occupation flats implemented. Delivery rates to be added when information is provided. | 2  | 3  | Under construction                           |  |  | 0  |  |  | 0  |  |  | 0  |  |  | 0  |
| small sites | P/22/1664/2 | 15A Mayfield Drive, Loughborough                                  | Single storey extension to form 1.no two-bedroom flat  | 21/07/2023                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/23/2020/2 | 125 Nanpantan Road, Loughborough,                                 | Erection of 2 No. detached dwellings with associated parking and external works following demolition of existing dwelling.   | 07/02/2024                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/21/2444/2 | Nanpantan Scout Headquarters, 212 Nanpantan Road,                 | One detached dwelling and double garage with new access  | 15/07/2022                             |             | Assume three years from decision date.  | 0  | 1  | Outline permission                           |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/22/0026/2 | 63 - 67 Nottingham Road Loughborough                              | Conversion of existing incidental residential flat and storage to 3no. self-contained flats with associated alterations to include   | 30/05/2022                             |             | Assume three years from decision date.  | 0  | 2  | Detailed permission                          |  |  | 2  |  |  | 2  |  |  | 2  |  |  | 2  |
| small sites | P/22/0021/2 | 50 Old Ashby Road, Loughborough,                                  | Erection of dwelling to side of semi-detached dwelling.  | 30/05/2022                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/22/1099/2 | 1 Outwoods Drive, Loughborough,                                   | Change of use from C3 dwelling to Sui Generis short stay/holiday accommodation.  | 13/04/2023                             |             | Assume three years from decision date.  | 0  | -1 | Detailed permission                          |  |  | -1 |  |  | -1 |  |  | -1 |  |  | -1 |
| small sites | P/21/2482/2 | 37 Oxford Street Loughborough                                     | Two storey and single storey extensions to rear of terraced house and conversion of resultant building to 2. No. 2   | 28/02/2022                             |             | Assume three years from decision date.  | 0  | 2  | Detailed permission                          |  |  | 2  |  |  | 2  |  |  | 2  |  |  | 2  |
| small sites | P/22/2134/2 | Land to the side of 74 Parklands Drive, Loughborough              | Erection of detached dwelling and formation of parking off Cross Hill Lane. (Approval of Reserved Matters to outline planning permission P/22/1088/2 - Appearance Landscaping)   | 08/02/2023                             |             | Site visit in April 2024 confirms site is currently under construction.   | 0  | 1  | Under construction                           |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/22/1581/2 | Beech House, 8 Park Street, Loughborough,                         | Change of use from 11no bedroom (large) HMO (Sui Generis) to 2no small dwellings (C4 Use Class) and retention of one 1no   | 28/04/2023                             |             | Site is currently under construction.   | -1 | 2  | Under construction                           |  |  | 2  |  |  | 2  |  |  | 2  |  |  | 2  |
| small sites | P/23/0530/2 | 2 Pulteney Avenue, Loughborough,                                  | Change of use from dwelling(C3) to residential family facility (C2).   | 19/05/2023                             |             | Assume three years from decision date.  | 0  | -1 | Detailed permission                          |  |  | -1 |  |  | -1 |  |  | -1 |  |  | -1 |
| small sites | P/22/1990/2 | Land to the rear of 49 and 51 Radmoor Road, Loughborough,         | Construction of one dwelling with access from Westfield Drive.   | 28/09/2023                             |             | Assume detailed permission granted during 2024/25 and housing delivery three years from decision date.  | 0  | 1  | Detailed approved subject to signing of s106 |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/21/2245/2 | 21 Rectory Road Loughborough                                      | One detached dwelling  | 26/05/2022                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/10/2464/2 | Land adjacent to 122 Sharpley Road                                | Extension of time for extant permission P/07/2577/2 for the erection of dwelling.  | 25/10/2011                             |             | Site visit in April 2024 confirms site is currently under construction and almost finished.   | 0  | 1  | Under construction                           |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/21/1719/2 | Land at Shelley Street Loughborough                               | Erection of 2 No. detached single storey dwellings and associated car parking and landscaping.   | 25/10/2021                             |             | Assume three years from decision date.  | 0  | 2  | Detailed permission                          |  |  | 2  |  |  | 2  |  |  | 2  |  |  | 2  |
| small sites | P/22/0880/2 | 114 Shelthorpe Road Loughborough                                  | Construction of detached two storey dwellinghouse with associated parking and refuse/recycling facilities  | 13/07/2022                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/23/2245/2 | 5 - 6 Swan Street, Loughborough, Leicestershire LE11 5BJ          | Proposed change of use of first and second floors into one flat (Use Class C3) and associated works to retail unit on ground floor including a separate access doorway to shop premises  | 14/02/2024                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/22/1596/2 | 11 Swan Street Loughborough                                       | Change of use of 2nd floor from storage to 3 self-contained flats with entrance door to ground floor.  | 14/06/2022                             |             | Site is currently under construction.   | 0  | 3  | Under construction                           |  |  | 3  |  |  | 3  |  |  | 3  |  |  | 3  |
| small sites | P/22/0068/2 | 11A Wards End Loughborough  | Change of use of first and second floors from residential (Use Class C3) to tattoo studio (Sui Generis).   | 01/04/2022                             |             | Assume three years from decision date.  | 0  | -1 | Detailed permission                          |  |  | -1 |  |  | -1 |  |  | -1 |  |  | -1 |
| small sites | P/22/0976/2 | 26 Wharnccliffe Road, Loughborough,                               | Conversion of existing dwelling into 2 x self contained flats with 2 storey and single storey rear extensions.   | 19/04/2023                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/21/2437/2 | Land to the rear of 26 - 28 William Street                        | Erection of a detached 2.5 storey dwelling and associated works.   | 09/03/2022                             |             | Assume three years from decision date.  | 0  | 1  | Detailed permission                          |  |  | 1  |  |  | 1  |  |  | 1  |  |  | 1  |
| small sites | P/22/0730/2 | Parcel of Land off Woodgate, Loughborough,                        | Proposed new building for the creation of 6no. Studio Apartments   | 10/05/2023                             |             | Assume three years from decision date.  | 0  | 6  | Detailed permission                          |  |  | 6  |  |  | 6  |  |  | 6  |  |  | 6  |



|             |                             |   |   |  |   |      |  |   |   |   |    |   |    |   |  |  |    |    |   |   |   |    |  |   |
|-------------|-----------------------------|---|---|--|---|------|--|---|---|---|----|---|----|---|--|--|----|----|---|---|---|----|--|---|
| small sites | P/20/1219/2 and P/22/1717/2 | Former St Johns Ambulance, North Street, Rothley, Leicestershire LE7      | Demolition of the existing building on-site and the erection of an apartment building comprising of 4 no. dwellings and associated facilities, and alterations to the vehicular access  |  | 09/07/2021 (P/20/1219/2) and                          |      | Site visit in April 2024 confirms site is currently under construction and almost finished.  | 0 | 4   | Under construction                          | 4  |   |    |   |  |  | 4  | 4  |   |   |   | 4  |  | 0 |
| small sites | P/21/1221/2                 | Land adjacent to 171 Swithland Lane, Rothley                              | Erection of 2.5 storey detached house and triple garage. Formation of vehicular access and associated driveway and  |  | 21/10/2021  |      | Assume three years from decision date.   | 0 | 1   | Detailed permission                         | 1  |   |    |   |  |  | 1  | 1  |   |   |   | 1  |  | 0 |
| small sites | P/21/1297/2                 | Land to the West of No.39 The Ridgeway, Rothley LE7                       | Erection of a detached dwelling with double garage and swimming pool (Resubmission of P/18/0713/2)  |  | 22/10/2021  |      | Assume three years from decision date.   | 0 | 1   | Detailed permission                         | 1  |   |    |   |  |  | 1  | 1  |   |   |   | 1  |  | 0 |
| small sites | P/22/1826/2                 | 2 Tiffin Homefield Lane, Rothley, Leicestershire LE7                      | Conversion of existing dwelling and annex into 4 supported living apartments with ancillary facilities  |  | 06/01/2023  |      | Assume three years from decision date.   | 0 | 3   | Detailed permission                         |    | 3 |    |   |  |  | 3  | 3  |   |   |   | 3  |  | 0 |
| small sites | P/22/2120/2                 | Land adjacent to Muckle Gate Lane, Seagrave,                              | Erection of dwelling with garage and access (revised scheme P/21/2634/2 refers).  |  | 15/09/2023  |      | Site is currently under construction.  | 0 | 1   | Under construction                          | 1  |   |    |   |  |  | 1  | 1  |   |   |   | 1  |  | 0 |
| small sites | P/20/1277/2                 | Land forming part of Paudy View Farm (access from Berrycroft Lane), Paudy | Erection of an agricultural workers dwelling and detached garage.   |  | 17/05/2023  |      | Assume three years from decision date.   | 0 | 1   | Detailed permission                         |    |   | 1  |   |  |  | 1  |    |   | 1 |   | 1  |  | 0 |
| small sites | P/22/1667/2                 | 45 Swan Street, Seagrave,   | Proposed subdivision of existing residential site to form 2no   |  | 09/12/2022  |      | Assume three years from decision date.   | 0 | 1   | Detailed                                    |    | 1 |    |   |  |  | 1  | 1  |   |   |   | 1  |  | 0 |
| small sites | P/21/0472/2                 | 1-2 The Parade, Anson Road, Shepshed                                      | Change of use of 2 no. retail units from retail use (Use Class E) to residential use (Use Class C3) and associated alterations to existing shop fronts to create 2 no. dwellings  |  | Prior approval not required 07/07/2021                |      | Delivery rates to be added when information is available.  | 0 | 2   | Change of Use Prior Notification            |    |   |    |   |  |  | 0  |    |   |   |   | 0  |  | 0 |
| small sites | P/21/0240/2                 | 57 Ashby Road Central, Shepshed, Leicestershire LE12 9BS                  | Proposed first floor extension over existing accommodation wing at rear of care home to provide 10 additional bedrooms, including internal alterations and re-organisation of existing  |  | 16/04/2021  |      | Assume three years from decision date.   | 0 | 10-bed = 5 homes                            | Detailed permission                         | 5  |   |    |   |  |  | 5  | 5  |   |   |   | 5  |  | 0 |
| small sites | P/23/0593/2                 | Rear Of 7 To 9 Field Street, Shepshed, Leicestershire                     | Three storey block of 4no. Flats  |  | 06/10/2023  |      | Assume three years from decision date.   | 0 | 4   | Detailed permission                         |    |   | 4  |   |  |  | 4  |    |   | 4 |   | 4  |  | 0 |
| small sites | P/21/1531/2                 | Adj. Shielings 6 Glenmore Avenue, Shepshed,                               | Erection of detached 2 storey dwelling, creation of vehicular access and erection of boundary fencing.  |  | 08/10/2021  |      | Site visit in April 2024 confirms site is currently under construction.  | 0 | 1   | Under construction                          | 1  |   |    |   |  |  | 1  | 1  |   |   |   | 1  |  | 0 |
| small sites | P/22/0891/2                 | Rear of 39A Leicester Road, Shepshed, Leicestershire                      | Erection of 2 storey building comprising 8 flats with associated bin storage facilities, car parking, access and landscaping  |  | 10/10/2023  |      | Assume three years from decision date.   | 0 | 8   | Detailed permission                         |    |   | 4  | 4 |  |  | 8  |    |   | 4 | 4 | 8  |  | 0 |
| small sites | P/21/2218/2                 | Rear of 87 Leicester Road, Shepshed, Leicestershire                       | Erection of detached bungalow and associated works (Reserved matters to planning permission reference   |  | 06/06/2022  |      | Site visit in April 2024 confirms site is currently under construction and almost finished.  | 0 | 1   | Under construction                          | 1  |   |    |   |  |  | 1  | 1  |   |   |   | 1  |  | 0 |
| small sites | P/21/0651/2                 | 153 Leicester Road Shepshed LE12 9DG                                      | Detached dwelling to the rear of 153 Leicester Road, Shepshed   |  | 28/09/2022  |      | Assume three years from decision date.   | 0 | 1   | Detailed permission                         |    | 1 |    |   |  |  | 1  | 1  |   |   |   | 1  |  | 0 |
| small sites | P/21/2393/2                 | 2 Spring Lane, Shepshed, Leicestershire LE12 9JE                          | Demolition of existing shop and erection of three 2.5 storey terraced dwelling houses   |  | 28/10/2022  |      | Assume three years from decision date.   | 0 | 3   | Detailed permission                         |    | 3 |    |   |  |  | 3  | 3  |   |   |   | 3  |  | 0 |
| small sites | P/21/0457/2                 | Land adjacent to 4 St Botolph Road, Shepshed                              | Erection of a detached dwelling (Revised scheme P/19/0006/2 refers)   |  | 05/05/2021  |      | Site visit in April 2024 confirms no progress on site.   | 0 | 1   | Construction stalled                        |    |   |    |   |  |  | 0  |    |   |   |   | 0  |  | 0 |
| small sites | P/23/0828/2                 | 87 The Meadows, Shepshed, Leicestershire                                  | Change of use from dwelling house (Use Class C3) to a Children's Home to accommodate a maximum of 1 child (Use  |  | 31/07/2023  |      | Assume three years from decision date.   | 0 | -1  | Detailed permission                         |    |   | -1 |   |  |  | -1 | -1 |   |   |   | -1 |  | 0 |
| small sites | P/22/2227/2                 | 2388 Barrow Road, Sileby,   | Outline Application for the erection of 8no dwellings (Access   |  | 15/12/2023  |      | Assume three years from decision date.   | 0 | 8   | Outline                                     |    |   | 4  | 4 |  |  | 8  |    | 4 | 4 |   | 8  |  | 0 |
| small sites | P/21/1771/2 and P/22/1836/2 | 44 Cossington Road, Sileby, Leicestershire LE12 7RS                       | Proposed change of use from C2 to C3.   |  | 27/01/2022 (P/21/1771/2) and 21/12/2022 (P/22/1836/2) |      | Assume three years from decision date.   | 0 | Net gain -2 (loss 6 bed = 3 homes + gain 1  | Detailed permission                         | -2 |   |    |   |  |  | -2 | -2 |   |   |   | -2 |  | 0 |
| small sites | P/23/1126/2                 | 75 Cossington Road, Sileby, Leicestershire LE12 7RW                       | Outline Application for two- bedroom bungalow on land to rear of numbers 75-81 Cossington Road, Sileby (All Matters   |  | 21/12/2023  |      | Assume three years from decision date.   | 0 | 1   | Outline permission                          |    |   | 1  |   |  |  | 1  |    |   | 1 |   | 1  |  | 0 |
| small sites | P/22/1696/2                 | 6 High Street, Sileby, Leicestershire LE12 7RX                            | Change of use from Commercial (Use Class E) to dwellinghouse (Use Class C3) - Notification under Schedule 2 Part 3 Class MA of the Town and Country Planning General  |  | Prior approval not required 21/11/2022                |      | Delivery rates to be added when information is available.  | 0 | 1   | Change of Use Prior Notification            |    |   |    |   |  |  | 0  |    |   |   |   | 0  |  | 0 |
| small sites | P/21/1300/2                 | 115 Homefield Road,   | Change of use from training centre to dwelling (Class C3).  |  | 02/09/2021  |      | Assume three years from decision date.   | 0 | 1   | Detailed                                    | 1  |   |    |   |  |  | 1  | 1  |   |   |   | 1  |  | 0 |
| small sites | P/19/0218/2                 | 9 King Street, Sileby, Leicestershire LE12 7LZ                            | Erection of 8 dwellings and conversion of existing farmhouse into 2 dwellings.  |  | 23/04/2021  | HAS8 | Eight new plots built on site. Site visit in April 2024 confirms the conversion of farmhouse to two dwellings has not been implemented. Delivery                             | 8 | 1   | Under construction                          |    |   |    |   |  |  | 0  |    |   |   |   | 0  |  | 0 |
| small sites | P/23/0170/2                 | Lodge Farm, Ratcliffe Road, Sileby, Leicestershire LE12 7PY               | Outline Planning Application for proposed self-build custom bungalow dwelling (all matters reserved except Access)  |  | 23/11/2023  |      | Assume detailed permission granted during 2024/25 and housing delivery three years from decision date.   | 0 | 1   | Outline approved subject to signing of s106 |    |   | 1  |   |  |  | 1  |    |   |   |   | 1  |  | 0 |
| small sites | P/21/1125/2                 | 196 Seagrave Road, Sileby   | Erection of two detached houses and one detached bungalow   |  | 23/08/2021  |      | Assume three years from decision date.   | 0 | 2   | Detailed                                    | 2  |   |    |   |  |  | 2  | 2  |   |   |   | 2  |  | 0 |
| small sites | P/23/1924/2                 | 8A Swan Street, Sileby,   | Change of use and conversion of education facility with   |  | 17/01/2024  |      | Assume three years from decision date.   | 0 | 4   | Detailed permission                         |    |   | 4  |   |  |  | 4  |    |   |   |   | 4  |  | 0 |
| small sites | P/21/1609/2                 | 109 Swan Street, Sileby, Leicestershire LE12 7NN                          | Change of use from Offices (Class B1(a)) to residential (Class C3). (Prior Notification)  |  | Prior approval not required 07/09/2021                |      | Delivery rates to be added when information is available.  | 0 | 6   | Change of Use Prior Notification            |    |   |    |   |  |  | 0  |    |   |   |   | 0  |  | 0 |
| small sites | P/21/1709/2 and P/23/0115/2 | The Golden Fleece, 77 Main Street, South Croxton, Leicestershire LE7 3RL  | Conversion of part of existing restaurant and dwellings and extension of building to form 2 No. 2 storey dwellings and 2 No. flats and associated works. P/23/0115/2 Application to determine if prior approval is required for the change of use from commercial business and service (use class E) to |  | 02/12/2021 (P/21/1709/2)                              |      | Site visit in April 2023 confirms plots 1 and 2 implemented. Restaurant has not been converted to residential use. Delivery rates to be added when information is available. | 2 | 2   | Under construction                          |    |   |    |   |  |  | 0  |    |   |   |   | 0  |  | 0 |
| small sites | P/21/1516/2                 | Land adjacent to 160 Main Street, Swithland,                              | Proposed erection of two detached dwellings   |  | 13/04/2023  |      | Assume three years from decision date.   | 0 | 2   | Detailed permission                         |    |   | 2  |   |  |  | 2  |    |   | 2 |   | 2  |  | 0 |
| small sites | P/22/0487/2                 | 175 Main Street, Swithland, Leicestershire                                | Demolition of existing dwelling and detached garage; construction of replacement dwelling (C3) and detached   |  | 05/08/2022  |      | Replacement dwelling.  | 0 | 0   | Detailed permission                         |    |   |    |   |  |  | 0  |    |   |   |   | 0  |  | 0 |
| small sites | P/23/1023/2                 | Phoenix Barn, Main Street, Swithland, Leicestershire                      | Change of use to dwelling (Class C3) (Class Q Prior Notification).  |  | 02/08/2023  |      | Delivery rates to be added when information is available.  | 0 | 1   | Change of Use Prior Notification            |    |   |    |   |  |  | 0  |    |   |   |   | 0  |  | 0 |
| small sites | P/21/2073/2                 | Albert Street, Syston LE7 2JA   | Erection of 8 dwellings, formation of car parking and associated landscaping works. Erection of eight new dwellings.  |  | 31/01/2022  |      | Assume construction work starts before the current detailed permission expires in January  | 0 | 8   | Site cleared. Detailed permission           |    | 4 | 4  |   |  |  | 8  |    | 4 | 4 |   | 8  |  | 0 |
| small sites | P/20/1856/2                 | 89-91 Barkby Road, Syston, Leicestershire LE7 2AH                         | Erection of 5 dwellings   |  | 10/01/2022  |      | Assume three years from decision date. Assume reserved matters application submitted before the  | 0 | 5   | Outline permission                          |    | 5 |    |   |  |  | 5  |    |   | 5 |   | 5  |  | 0 |
| small sites | P/23/1725/2                 | 185 Barkby Road, Syston, Leicestershire LE7 2AJ                           | Erection of 8 dwellings (Application for the approval of reserved matters for appearance, landscaping, layout and scale following grant of outline planning permission ref  |  | 08/01/2024  |      | Assume three years from decision date.   | 0 | 8   | Outline permission                          |    |   | 4  | 4 |  |  | 8  |    | 4 | 4 |   | 8  |  | 0 |
| small sites | P/21/1193/2                 | 6 High Street, Syston LE7 1GP   | Proposed conversion of part of ground floor and all of the first floor and loft space to a 5 bedroom house in multiple occupation (Use Class C4) and installation of 2 rear dormer  |  | 27/09/2021  |      | Assume three years from decision date.   | 0 | 1   | Detailed permission                         | 1  |   |    |   |  |  | 1  | 1  |   |   |   | 1  |  | 0 |
| small sites | P/21/0990/2                 | Elizabeth House, 73 High  | Conversion of ground floor office to one bed flat.  |  | 23/08/2021  |      | Assume three years from decision date.   | 0 | 1   | Detailed permission                         | 1  |   |    |   |  |  | 1  | 1  |   |   |   | 1  |  | 0 |
| small sites | P/21/0993/2                 | 1349 Melton Road, Syston LE7 2EP  | Outline application for one single storey dwelling  |  | 26/07/2021  |      | Assume three years from decision date. Assume reserved matters application submitted before the  | 0 | 1   | Outline permission                          |    | 1 |    |   |  |  | 1  |    |   | 1 |   | 1  |  | 0 |
| small sites | P/23/1259/2                 | 1360 and 1362 Melton Road, Syston, Leicestershire LE7 2EQ                 | Change of use of no.1360 Melton Road from Class C3 (Residential) to Class C2 (Nursing Home) and extensions to side and rear to join with no.1362.   |  | 21/12/2023  |      | Assume three years from decision date.   | 0 | Net gain 2 homes (loss 1 dwelling + gain 6- | Detailed permission                         |    |   | 2  |   |  |  | 2  |    |   | 2 |   | 2  |  | 0 |
| small sites | P/23/0745/2                 | 32 Oxford Street, Syston,   | Erection of a pair of semi-detached dwellings   |  | 08/11/2023  |      | Assume three years from decision date.   | 0 | 2   | Detailed                                    |    |   | 2  |   |  |  | 2  |    |   | 2 |   | 2  |  | 0 |
| small sites | P/21/2241/2                 | 1 Old Gate Road,  | Demolition of existing property and construction of   |  | 04/04/2022  |      | Replacement dwelling.  | 0 | 0   | Detailed permission                         |    |   |    |   |  |  | 0  |    |   |   |   | 0  |  | 0 |





## Appendix 2

### RPS deliverability comments – Charnwood existing Sustainable Urban Extension sites (SUEs):

#### **West of Loughborough - LUC2** no PMMs to dwellings, but trajectory has changed (EXAM 58J)

- SOCG (EXAM 24 C) signed in May 2022
- Currently 2 developers on site - PH/Charles Church (dual brand) and William Davis, cover two outlets
- Includes Site-Wide Phasing Plan dated January 2019, under outline PP P/14/1833/2 approved in July 2015
- Outline approval for 3,200 dwellings (in line with Policy LUC2)
- To date - three RMAs approved, totalling 468 dwellings (Phases 1 and 2, 1a-1c)
- Behind projected delivery in SWPP - expected that Phase 1a-1j would be started site by 2022, totalling c. 1,356 dwellings
- Updated trajectory in SOCG 2022 projects forward 830 dw completed by end of 2028 or 1,050 by 2029
- LPA has reduced the projected number of completions down to 827 dw 2024-29 (or 906 in total to 2029), so clearly they have some reservations with the rate of delivery expected in the short-term (first years).
- Commentary in SOCG says – current developers will build out the 'initial' phases of development with 'other developers' in later phases
- SCG also says the trajectory provides a realistic timetable for the development of the Site, taking into account phasing and the delivery of critical infrastructure
- Current rates of delivery show 79 dw s built over a broadly two-year period (14 + 65). LPA assumes an increase to 210 in year 3 (2026/27) and 250 in years 4 and 5 (2027/28 and 2028/29), giving a total deliverable supply of 827 dwellings over the five-year period.
- To achieve the projected rate of delivery will require additional outlets, as recognised in the SOCG. Industry data on build out rates and outlets suggests that at least 4 outlets will be needed to sustain delivery of 210 and 5 outlets to support 250 dwellings per year. For 2 outlets, the figures suggest a build out rate of 123 dpa as being realistic, and 164 dpa for 3 outlets (Lichfields Start to Finish 3 report 2024, Table 5.2)
- However, at present only 2 outlets are presents on the Site (PH/Charles Church (dual brand) and WD) and there is no indication in the SOCG or the updated land supply information which shows who or when these additional developers will be brought onto the Site. Until such time as the additional developers are signed up and their delivery intentions are known, the projected delivery rate in the updated trajectory is speculative and not underpinned by clear evidence.
- Also, there is no clarity on firm progress towards any further RMS for the later phases beyond those approved for phase 1 and 2.
- We would argue the projected rates for years 3 to 5 are over-optimistic based on current evidence and so should be modified. We consider an annual rate of 123 dpa should be applied to these years in the Council's updated trajectory and land supply update. In doing so, this reduces the projected supply on the Site by 341 dwellings by 2029, to 486. Our projected number of deliverable units is also consistent with the supply that currently benefits from detailed consent (468) and which can be brought forward in the short-term.

#### **North East of Leicester SUE - LUA2**

- This Site benefits from outline PP granted in August 2016 for 4,500 dwellings (P/13/2498/2).
- Three developers (assuming three separate outlets) are involved in delivering the Site currently.
- According to the Council's updated information, 603 dwellings benefits from detailed consent under four separate RM applications. Of this, 144 dwellings were completed by end of March

2024 (over the two preceding years) leaving a residual of 459 dwellings to be built under the existing consents, and 3897 dwellings remaining across the whole Site.

- The Council assumes 900 dwellings are deliverable during the five-year period (exc. completions).
- Therefore, 441 dwellings are included by the Council in the deliverable supply, but which do not currently benefit from any planning consents.
- Whilst delivery is in progress, the Site as a whole is being built out in phases. This is to reflect the nature of the proposals involved in what is a significantly complex scheme which requires a mix of uses, as well as a wide range of critical infrastructure. The Council provides no clear evidence which demonstrates firm progress is being made in bringing forward the remaining 441 dwellings expected in the five-year period.
- An updated SOCG (EXAM 24c) submitted to the examination suggests that 575 dw would be delivered by 2026, whilst the Council anticipates 444 completions over the same period.
- It is also unclear what the justification is to assume an increase in build out rates from 112 (2023/24) to 200 dw. On the basis of the evidence provided, notably the current extant detailed permissions on the Site, we argue that 900 dwellings are not deliverable. In the absence of detailed consents for all 900 dwellings in the supply, we argue it is reasonable to apply the average of 164 dw based on three outlets as per the Lichfields Start to Finish 3 report.
- We suggest that 108 dw should be removed from the supply accordingly.

Appendix 3

| Policy site reference | No of dwellings included in 5YLS trajectory (EXAM 58J) | Deliverability Comments  | Adjusted deliverable supply | Discounted supply | Dispute? | No SOCGs or post-hearing evidence? |
|-----------------------|--|--|-----------------------------|-------------------|----------|------------------------------------|
| HA1                   | 100  | Post-hearing response submitted (Nov 2023) on behalf of TWUK suggests an outline application will be submitted next year to enable delivery of homes in 2026/27 (para 4.3). LPA has pushed back delivery by one year (EXAM 58J). Response also says “We will continue to engage with the Borough Council to fully understand the constraints and opportunities of this site and to establish the capacity of the site for development.” (para 3.6). Also, uncertainties exist regarding viability of the site against emerging policy requirements in the CLP (para 6.1-6.9). No application submitted to date. Unclear what ‘further evidence’ has been submitted to demonstrate realistic prospects that homes will be delivered in the next five years. Recommend site is pushed back a further one year. | 25                          | 75                | y        | n                                  |
| HA2                   | 10   | Agreed   | 10                          | 0                 | n        | n                                  |
| HA4                   | 120  | Agreed - full application submitted on this site.  | 120                         | 0                 | n        | n                                  |
| HA7                   | 40   | Post-hearing response refers to two planning applications submitted in relation to this site (para 10). However, these are in outline only and have not yet been determined. No further evidence is provided to demonstrate firm progress is being made towards submission of reserved matters applications. Insufficient evidence provided to demonstrate the site is deliverable in accordance with NPPF.  | 0                           | 40                | y        | n                                  |
| HA8                   | 12   | Agreed   | 12                          | 0                 | n        | n                                  |
| HA12                  | 40   | Hybrid planning application submitted (P/21/2359/2) on this site.  | 40                          | 0                 | n        | n                                  |
| HA16                  | 133  | Full application (P/23/1517/2) registered on 27 September 2023. Not yet determined. On balance, delivery could commence during year 3 (2026/27) as suggested.  | 133                         | 0                 | n        | n                                  |
| HA18                  | 80   | No SOCG submitted for this site. LPA has pushed back delivery by 3 months following comments from the site promoter (EXAM 58K). Unclear what further evidence has been submitted to demonstrate site is deliverable in accordance with NPPF.   | 0                           | 80                | y        | y                                  |
| HA20                  | 20   | Agreed   | 20                          | 0                 | n        | n                                  |
| HA30                  | 40   | No SOCG submitted for this site. LPA says that the promoter is seeking pre-application advice (EXAM 58K). Unclear what further evidence has been submitted to demonstrate site is deliverable in accordance with NPPF.   | 0                           | 40                | y        | y                                  |
| HA32                  | 88   | SOCG submitted (EXAM 24j) May 2022, which refers to a hybrid application submitted on this site.   | 88                          | 0                 | n        | n                                  |
| HA34                  | 88   | SOCG submitted (EXAM 24L) May 2022, which says they intend to submit an outline planning application in Summer 2022. However, a search of the online planning register has not identified any such applications. LPA says the trajectory was confirmed by the site promoters in April 2024 (EXAM 58K). Unclear what further evidence has been submitted to demonstrate site is deliverable in accordance with NPPF.  | 0                           | 88                | y        | n                                  |
| HA36                  | 25   | Agreed   | 25                          | 0                 | n        | n                                  |
| HA42                  | 15   | Agreed   | 15                          | 0                 | n        | n                                  |
| HA43                  | 155  | SOCG submitted (EXAM 24N) May 2022, and a further briefing note (EXAM66) dated February 2023. Hybrid application submitted for 500 homes in February 2022 and reference also made to subsequent applications having been submitted. On balance, delivery could commence during year 4 (2027/28) as suggested.  | 155                         | 0                 | n        | n                                  |
| HA44                  | 47   | No SOCG submitted for this site. LPA refers to an Updated trajectory that reflects adjustments discussed with representative at February 2024 hearing sessions (EXAM 58K). Unclear what further evidence has been submitted to demonstrate site is deliverable in accordance with NPPF.  | 0                           | 47                | y        | y                                  |
| HA48                  | 90   | No SOCG submitted for this site, reference made to written hearing statements on examination website. Unclear what further evidence has been submitted to demonstrate site is deliverable in accordance with NPPF.   | 0                           | 90                | y        | y                                  |
| HA49                  | 140  | Hybrid planning application (P/23/2342/2) registered in January 2024. On balance, delivery could commence during year 4 (2027/28) as suggested.  | 140                         | 0                 | n        | n                                  |
| HA55                  | 13   | Agreed   | 13                          | 0                 | n        | n                                  |
| HA61                  | 25   | Full application registered on 12 December 2023 for 25 dwellings. On balance, delivery could commence as suggested.  | 25                          | 0                 | n        | n                                  |
| HA64                  | 80   | Full application approved subject to resolution on 20 June 2024. On balance, delivery could commence as suggested.   | 80                          | 0                 | n        | n                                  |
| HA65                  | 80   | No SOCG submitted for this site. LPA says representative attended February 2024 hearing sessions and no change since then (EXAM 58K). Unclear what further evidence has been submitted to demonstrate site is deliverable in accordance with NPPF.   | 0                           | 80                | y        | y                                  |
| HA67                  | 26   | No SOCG submitted for this site, however the LPA refers to two planning applications have been submitted. On balance, delivery could commence as suggested.  | 26                          | 0                 | n        | n                                  |
| HA68                  | 60   | No SOCG submitted for this site. Unclear what further evidence has been submitted to demonstrate site is deliverable in accordance with NPPF.  | 0                           | 60                | y        | y                                  |
| HA69                  | 19   | No SOCG submitted for this site. Unclear what further evidence has been submitted to demonstrate site is deliverable in accordance with NPPF.  | 0                           | 19                | y        | y                                  |
| <b>Totals</b>         | <b>1,546</b>   | <b>RPS adjusted supply</b>   | <b>927</b>                  | <b>619</b>        |          |                                    |
|                       |  | <b>Sites removed where no SOCGs or post-hearing statements submitted to EiP ('Comparison adjusted' supply)</b>   |                             |                   |          | <b>416</b>                         |
|                       |  | <b>RPS Comparison Adjusted supply</b>  |                             |                   |          | <b>1,130</b>                       |
| windfalls             | 126  |  | 126                         | 0                 | n        |                                    |

## A.3 Appendix 3

Guy Longley  
Pegasus Group Ltd  
guy.longley@pegasusgroup.co.uk

Dear Guy,

**APPLICATION NO: P/23/0073/2**

**PROPOSAL: Development of up to 600 homes along with supporting community and recreational infrastructure.**

**LOCATION: Land South of Watermead Way, Loughborough**

Thank you for your enquiry dated 15<sup>th</sup> January 2023 in respect of the above and the information provided at your meeting on 24<sup>th</sup> April 2023 with Jim Worley.

We have reviewed the documents you have provided. Internal consultation has been carried out and where responses have been received, they are set out below.

With reference to the meeting on 24<sup>th</sup> April, we have sought to address both the shorter term prognosis in the manner typical of a traditional 'pre application enquiry', but also a longer term view in the context of production of the next local plan. Our response therefore adopts the following structure:

1. Introduction covering a description of the proposal, site and surroundings and the current policy context, including the emerging Charnwood Draft Local Plan 2021-2037
2. Advice regarding the principle of development in the current policy context and how these considerations might change in the context of the next local plan
3. Advice regarding other matters
4. Conclusion

## **1. INTRODUCTION**

### **Proposal**

The proposed development comprises 74 hectares of land, with some 16 hectares of the site proposed for development to provide some 600 homes complemented across the remainder of the site by the provision of green infrastructure of various types, a network of footpath and cycle routes, and a 'Biodiversity Bank' supporting the scheme and allowing for enhancement for other purposes.

### **Site and Surroundings**

This enquiry relates to a site located on the south-western edge of Loughborough, south of Nanpantan Road and Watermead Way. It adjoins residential development to the north, across Nanpantan Road, and the Outwoods Sports complex in its north east

corner, but is otherwise surrounded by land in agricultural and forestry uses though it does adjoin residential and cemetery land uses currently being promoted through the emerging Charnwood Local Plan 2021-37. There are public footpaths along parts of its eastern boundary and, more notably, it is traversed by footpath K58 which travels east/west through approximately the middle of the site, giving access to the Outwoods\ further west.

## **Policy Context**

The starting point for decision making on all planning applications is that they must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The development plan for Charnwood comprises the Core Strategy 2015 and those saved policies within the 2004 Local Plan which have not been superseded by the Core Strategy and the Minerals and Waste Local Plan 2019. The most important policies for the determination of this proposal would be those listed below.

### National

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide (NDG)
- Climate Change Act 2008 as amended by Climate Change Act 2008 (2050 Target Amendment) Order 2019

### Charnwood Local Plan Core Strategy (2015)

- CS1 – Development Strategy
- CS2 – High Quality Design
- CS11 – Landscape and Countryside
- CS12 – Green Infrastructure
- CS13 – Biodiversity and Geodiversity
- CS14 – Heritage
- CS16 – Sustainable Construction and Energy
- CS17 – Sustainable Travel
- CS18 – Local and Strategic Network
- CS24 – Delivering Infrastructure
- CS25 – Presumption in Favour of Sustainable Development

### Saved Policies of Borough of Charnwood Local Plan (2004)

- ST/2 – Limits to Development

- CT/1 - General Principles for areas of countryside
- CT/2 – Development in the Countryside
- EV1/1 – Design

The Charnwood Draft Local Plan 2021-2037 (submitted December 2021)

- DS1 Development Strategy
- DS5 High Design Quality

LUC1 Loughborough Urban Centre

- C1 Countryside
- CC1 Flood Risk Management
- CC2 Sustainable Drainage Systems
- CC3 Renewables and Low Carbon Energy Installations
- CC4 Sustainable Construction
- EV1 Landscape

EV4 Charnwood Forest and the National Forest

- EV6 Conserving and Enhancing Biodiversity and Geodiversity
- EV7 Tree Planting
- EV8 Heritage
- INF2 Local and Strategic Road Network

This document was submitted for Examination in December 2021. It sets out the Council's strategic and detailed policies for the plan period 2019-37. Hearing sessions have been held in June 2022, October 2022 and February 2023 and the conclusions of the Planning Inspectors are awaited.

In accordance with NPPF paragraph 48, the relevant emerging policies in the plan may be given weight in determining applications, according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight it may be given),
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given),
- c) the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The weight assigned to the relevant policies will be addressed in the assessment that follows, although it is worthy of note that the Plan is likely to be more advanced by the time any application is submitted and determined.

## Supplementary Planning Documents, Guidance and Other Material Planning Considerations

- Biodiversity Planning Guidance (2022)
- The Leicestershire Highways Design Guide (2018)
- The Crime and Disorder Act 1998
- Conservation of Habitat and Species Regulations 2010 (as amended)
- Equality Act 2010
- Charnwood Borough Council Climate Change Strategy 2018-2030

## **2. ADVICE ON THE PRINCIPLE OF DEVELOPMENT**

### **Current Policy Context**

Policy CS1 of the Core Strategy directs development to a hierarchy of settlements and saved Local Plan Policy ST/2 defines the limits of development in those settlements. This site is situated within the open countryside, outside the limits to development of any settlement. Emerging Local Plan Policy DS1 similarly explains the development strategy and carries forward the approach of a concentration of development in Loughborough and other urban centres. Policy DS2 addresses unmet need within Leicester and Leicestershire with Main Modifications being discussed at the Local Plan hearing sessions and set out in Examination Document 69. . Though well advanced, DS1 remains the subject of some contention and, at present, is afforded limited weight.

Core Strategy Policy CS11 seeks to protect the character of our landscape and countryside, Similarly, Policies C1 and EV1 of the emerging Charnwood Local Plan 2021-37 reiterate similar aspirations.

The weight that can be assigned to these emerging Local Plan Policies is considered to be moderate at present but likely to acquire greater weight as these proposals evolve.

Core Strategy Policy CS12 and emerging Local Plan Policy EV4 have an important role owing to the site's location within the Charnwood Forest Regional Park and adjacent to the National Forest. The weight of the latter is considered to be moderate for the same reasons as C1 and EV1. These policies fundamentally address landscape and countryside issues but should be read together with the aforementioned policies to understand the development strategy. Further comments on landscape and countryside are provided later in this letter.

Though 'countryside', the site has no 'special' designation such as being an Area of Local Separation or Green Wedge in either existing or emerging local planning policy. It is not considered that the site is included in a 'valued landscape' within the terms provided by NPPF para 174 (a).



The Council recognises that because of the current lack of a 5-year supply of housing land (which stands at 4.27 years) and the age of Core Strategy Policy CS1 and Local Plan policies CT/1 and ST/2, the weight that can be ascribed to them is reduced, and paragraph 11d of the NPPF applies.

The site is located close to the settlement of Loughborough, where Core Strategy policy CS1 directs further housing growth as it is considered to be a sustainable location.

It is considered that the proposal does not accord with the pattern of development set out in DS1 of the emerging Charnwood Local Plan 2021-37 as the site is located outside limits to development and within the countryside; defined by emerging policy C1. Policy C1 does support small scale new built development in very limited circumstances and where there would not be significant adverse environmental impact but the development is not considered to be small scale, nor does it satisfy the other exceptions listed in Policy C1.

The proposal would be contrary to the Development Plan in principle but would result in 600 new dwellings at a time when the Local Planning Authority cannot demonstrate a five-year supply of housing land. This is regarded as a benefit of the development which is required to be balanced against any harm identified (the 'planning balance' is addressed at the conclusion of this report).

### **Context of a Future Local Plan**

The site was considered as part of the preparation of the current draft Local Plan. The Landscape Sensitivity Assessment (LUC 2019) identified landscape sensitivity particularly associated with the parts of the site that slope upwards in a westerly direction and its role as the backdrop to the Loughborough urban area and impact on the footpath previously referenced. It was also subject to assessment under the SHELAA process and whilst reiterating the issues regarding landscape and the setting of Loughborough, identified only a single *physical* constraint in that a small part of the site is vulnerable to Flood Zones 2, 3A and 3B. This assessment concluded that there were no insurmountable physical or environmental constraints to its development.

Therefore, upon analysis of the proposals as presented, no insurmountable 'red lines' are identified and with appropriate design and mitigation it is considered that the site is capable of development. Such an analysis of the site is, of course, in isolation of the potential overall development strategy that is to be pursued in a future Local Plan. The site's 'fit' within this potential strategy will be fundamental in determining whether it is taken forward in a future Local Plan.

The information submitted provides a helpful explanation of what form development could take and therefore how the site's constraints and sensitivities can be approached. It is considered that the siting of the development 'parcels' are the optimum choices from within the confines of the site and the explanation of landscaping and the style of development are welcome. However, the stated densities within the parcels does not appear immediately commensurate with the 'Forest Community' to which the Vision document refers.

The document presents the prospect of protecting the setting of the Outwoods through control of the land up to the edge of the woodland. The safeguarding of this land from built development is clearly preferable than the prospect of new homes being built at this part of the site. This land is currently relatively open which forms part of its historic landscape character, providing a clear separation with the built form of Loughborough. The openness of the landscape also provides views up to the Outwoods forming a distinct gateway to the Charnwood Forest landscape, particularly when viewed along Forest Road, and there are currently many long distance views from the Outwoods. The way this land is brought forward would ideally realise benefits to recreation and biodiversity, support the integration of development into its setting without losing the current benefits of openness that are highlighted above. The document refers to the gifting of this land in order to achieve these outcomes and it would be helpful to understand the mechanics of this in order to provide reassurance that it would deliver a permanent arrangement. It is also considered that in relation to some aspects of emerging Local Plan Policy EV4 and the objectives of the Charnwood Forest Regional Park these are positive benefits.

It is, of course, impossible to predict what future demand for growth may comprise and indeed what alternative opportunities and strategy(ies) the Council (and its neighbouring, partner, Local Planning Authorities) may adopt to fulfil them. It is therefore impossible to realistically offer prognosis of prospects of success in a Development Plan context. However, as stated above, the various constraints applicable to the site appear manageable and some may be less severe than those applicable to some other sites which may come forward.

I trust you take reassurance from the robust and objective manner in which the site was assessed in the evidence base for the current Local Plan, and as referred to above concluded that there were no insurmountable barriers to the *capability* of the site to be developed, and we can assure you of objective assessment in future exercises.

### **3. ADVICE ON OTHER MATTERS**

#### **Landscape and Visual Impact**

Core Strategy Policy CS11 and Policies C1 and EV1 of the emerging Local Plan seeks to protect the character of our landscape and countryside and reinforce a sense of place and local distinctiveness, which is considered to be consistent with the NPPF, particularly paragraph 174.

The weight that can be assigned to emerging Policies C1 and EV1 of the emerging Local Plan is moderate. The plan is at an advanced stage and following the hearing sessions it is considered there are no unresolved objections in relation to these policies. They are consistent with the NPPF and therefore are considered to carry moderate weight.

The application site is situated within the Charnwood Forest Landscape Character Area and also the Charnwood Forest Regional Park as identified in the emerging Local Plan such that Policy EV4 is applicable.

This states that:

## Policy EV4: Charnwood Forest and the National Forest

*The Charnwood Forest Regional Park and National Forest are defined on the Policies Map. We will work with our partners to protect and enhance the Charnwood Forest Regional Park and support the aims of the National Forest Strategy. We will support development that:*

- supports the woodland economy and rural diversification, including sustainable small-scale tourism and recreation opportunities which protect, and enhance the distinctive landscape character of the Charnwood Forest;*
- protects and enhances the biodiversity of the Charnwood Forest Regional Park, consistent with the aims of the National Character Area profile of Charnwood;*
- provides tree planting within the Charnwood Forest Regional Park, in accordance with the National Forest Planting Guidelines;*
- provides an improved network of public rights of way within Charnwood Forest and between nearby settlements including the establishment of a network of off-road links for walkers, cyclists and equestrians; and*
- improves accessibility for people with mobility issues including improved footpaths and parking for people with disabilities.*

The Landscape Sensitivity study 2021 identifies the site as medium-high sensitivity, making particular reference that:

- The site forms an undeveloped backdrop to the existing settlement, with the slopes containing Loughborough from the wider countryside.
- The adjacent settlement edges of Loughborough are well screened and integrated into the landscape by belts of woodland.
- Views and visual character including skylines
- The hills adjacent to the site create distinctive wooded skylines in views to the south and south-west.
- Visual prominence from Nanpantan Road.
- From higher ground the views over Loughborough to the undulating landform of the Wolds beyond.
- From Nanpantan Road there are long views south across the site towards the distinctive elevated landscape of the Charnwood Forest. M-H Access and recreation
- Several public rights of way (including PRow K57 and K58) cross the landscape, linking Loughborough with the wider countryside and nearby settlements.
- The site retains a strong rural character despite the proximity to Loughborough. The site feels removed from the existing settlement despite its proximity.
- The landscape provides part of the 'gateway' to the distinctive Charnwood Forest landscape which lies to the west and south.

The 2021 assessment provided emphasis that the higher parts of the site sloping towards the Outwoods were of particular sensitivity and recommended various design techniques and the retention and enhancement of hedgerows and copses and rows of trees.

There is concern that due to scale the development would significantly alter the characteristics in the immediate area from an undeveloped landscape containing the above qualities to a partially residential one which in turn would conflict with the stated policies. It is considered that the proposals cannot be said to protect the open characteristic nor “reinforce the sense of place” or “local distinctiveness”. In terms of the emerging Local Plan, it would not accord with Policy EV1 Landscape because of these impacts. Policy EV4 of the emerging Local Plan does not contemplate development of this scale and although it can be seen that the masterplan facilitates achievement of some of its objectives, it is opposed in principle and poses a further obstacle to the proposal within the current policy framework. Because the plan is at an advanced stage, hearing sessions on the Environment took place in June 2022 during which representations to EV4 and issues were discussed and the Council considers EV4 is consistent with NPPF paras 146, 174, as such it is considered to carry moderate weight at present.

It is considered that these findings would weigh against the proposal and pose a risk to the success of an application.

However, it is also considered that the Masterplan document at its current stage of development demonstrates effectively that development could be contained within the lower parts of the site and its size is such that it could accommodate the mitigation referred to in the Sensitivity Assessments in the landscape study. Therefore, whilst not supported by the current policy framework, it is considered that the masterplan provides sufficient detail to allow for consideration in future development plan analysis.

The development would either be adjacent to or traversed by Public Rights of Way (PROW). The proposal’s proximity to and incorporation of a PROW would lead to high to very high adverse impact on the experiential amenity use of such routes. At present these, K58 in particular, are tranquil and free from intrusion into the natural environment and provide an experience of rural undeveloped and unspoilt landscape.

### **Design & Character**

Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved Policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality and which uses materials appropriate to the locality. Similarly, emerging Policy DS5 of Local Plan reiterates similar requirements such as high quality design, amenity, climate change and so on for new developments. The weight that can be assigned to this emerging Local Plan Policy DS5 is moderate for the same reasons as explained in respect of C1 and EV1 above.

Notwithstanding the assessment of the landscape impacts of the development as outlined above, it will be necessary to submit a Landscape and Visual Assessment

sufficient to enable an informed assessment to be made of the impact of the development.

The design of buildings, and how their setting will be configured to create the quality, sense of place and local distinctiveness referred to in the submission, would ideally be set out in a Design Brief (or similar), the adherence requirements to which would ultimately be incorporated into any permission granted.

### **Ecology and Trees**

Policy CS13 of Charnwood Core Strategy seeks to protect or enhance biodiversity and ensure that where there is any potential loss this is avoided, mitigated or compensated.

The NPPF states that decisions should minimize impacts on and provide net gains to biodiversity (paragraph 174). Emerging Local Plan Policy EV6 seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks.. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and this is not currently required by national policy. Therefore, emerging Local Plan Policy EV6 can be given only limited weight until the emerging policy is further progressed towards adoption.

The policy requires that proposals are accompanied by an ecological survey and Biodiversity Impact Assessment to demonstrate how a biodiversity net gain would be achieved on site (or by means of compensation elsewhere) Further guidance is provided in the Biodiversity Planning Guidance 2022: [https://www.charnwood.gov.uk/pages/biodiversity\\_planning\\_guidance](https://www.charnwood.gov.uk/pages/biodiversity_planning_guidance)

Emerging Local Plan Policy EV7 seeks to protect and enhance natural environment by supporting the retention of existing trees and increasing the number of trees in Charnwood through new tree planting. The weight than can be assigned to this emerging policy is moderate for the same reasons as stated in regard to other polies previously.

An accurate, up to date tree survey/ Arboricultural Impact Assessment/ Arboricultural Method Statement in accordance with BS5837 of all of the tree and hedgerow to boundaries trees would need to be submitted with any forthcoming planning application.

### **Environmental and Residential Amenity**

Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality and which uses materials appropriate to the locality. Similarly, emerging Policy DS5 of Local Plan reiterates similar requirements such as high quality design, amenity, climate change and so on for new developments. The weight that can be assigned to this emerging Local Plan Policy DS5 is moderate.

There is limited concern regarding the proximity to dwellings and the size of the site is such that normal design techniques should be able to overcome such concerns.

### **Agricultural Land Classification**

NPPF paragraph 174 indicates that decisions should recognise the economic and other benefits of best and most versatile (B&MV) agricultural land. PPG defines B&MV agricultural land as Grades 1, 2 and 3a indicating that agricultural land quality is a factor when assessing proposals. These considerations include, whether the use of any agricultural land is necessary and whether a proposal allows for continued agricultural use. Core Strategy Policy CS16 states that we will support 'new development that protects environmental resources including.....our most versatile agricultural land'.

### **Cultural Heritage**

There are no designated heritage assets within the application site itself, but the site is close to Moat House, Bramcote Rd (Grade II) and the Outwoods Farmhouse and its outbuildings (both Grade II) and Halfway House, Hazel Road (Grade II) a little to the east.

We are able to conclude that impacts on Designated Heritage Assets would be very limited due to their distance and intervening landscape/townscape features and the measures proposed to maintain separation within the masterplan document, which would appear to be sufficient to protect their settings. A Heritage Statement is considered necessary to describe the significance of any heritage asset affected by the proposal, including their settings and to demonstrate compliance with the NPPF para. 198, Policy CS14 of Charnwood Core Strategy and emerging Policy EV8 of Local Plan.

### **Highways**

Policy CS2 of the Core Strategy and TR/18 of Local Plan seeks to ensure safe access is provided to new development. Policy CS17 of the Core Strategy and emerging Policy CC5 of Local Plan is concerned with encouraging sustainable transport patterns. The weight that can be assigned to this emerging Policy CC5 of Local Plan is moderate. Policy CS18 requires network improvements as identified in Transport Assessments. The NPPF also sets out requirements for new developments which have some impact on the highway network. Paragraph 111 of the NPPF seeks to ensure new development does not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network. Paragraph 112 of the NPPF seeks to promote sustainable travel choices.

We have not consulted the Leicestershire County Highway Authority on the proposal as a result of the request for confidentiality but note the content of the ADC Highways Statement. However, it should be noted that committed and planned development has taken place since its production and also that the Local Highways Authority has recently declared its intention to seek developer contributions towards highways infrastructure requirements at 'plan level' arising from the combined demand of

widespread development. Detail of this approach can be reviewed the LCC Cabinet Report of 10 Feb 23, available at: <https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=7073&Ver=4>

The cabinet report covers both education and highways.

An extract of the report says: This area continues to develop and updates to the Highways Statement will be required going forward.

### **Flood Risk and Drainage**

Policy CS16 of the Core Strategy seek to ensure that development is not at risk of flooding and that it does not cause flood risk elsewhere. Emerging Policy CC1 seeks to manage flood risk and the weight assigned to this Policy is limited. Policy CC2 of the emerging Local Plan seek to secure SuDS, only moderate weight can be afforded to this Policy.

The application site lies within Flood Zone 1 being at a low risk of surface water flooding. The LCC LLFA have not been consulted but we would expect their continued encouragement of Sustainable Drainage techniques and management of run off rates to ensure they are less than or equal to greenfield rates.

The development would be classed as a major application and would need to be accompanied by Flood Risk Assessment and SuDS, if applicable, that clearly demonstrates that the proposal can be satisfactorily drained and that there would be no flood risk created or exacerbated elsewhere.

### **Minerals Impact**

The Leicestershire Minerals and Waste Local Plan 2019 (MWLP) does not identify that the site lies within a Safeguarding Area.

## **4. CONCLUSION**

In the current policy context, weighing significantly against the benefits of the proposal is the likely harm which has been identified to the character and appearance of the landscape which could be considered to be contrary to local policies to include Adopted Local Plan Policy CT/1, Core Strategy Policy CS11 and the NPPF(para 174), and emerging Local Plan Policies C1 and EV1.

In the immediate and shorter term, it is considered that the harm arising from the proposal would be regarded as very significant and as such a proposal would only have a prospect of success, within these horizons, if very substantial benefits were to be accrued. It is not considered that the potential biodiversity and landscape/setting benefits of the proposal, alongside deliverability within the current housing land supply conditions, are sufficient to justify approval. Furthermore, the Council is optimistic that the Local Plan will reach adoption in a form similar to the submission version and with that will come an improvement in the land supply position. Therefore, the 'planning balance' in terms of policy harm and delivery issues is likely to evolve to the

disadvantage of the proposal in a time period commensurate with the preparation and determination of a planning application.

Based on the above analysis we would recommend against a planning application at present, but would invite your participation in any review or replacement of the Local Plan. Even though not yet adopted, under the current operation of the planning system, reviews are required every 5 years and these inevitably focus upon updated measures of demand based on recent delivery achievements and revised trajectories of need. In reality, preparation towards a review of the Local Plan is likely to be commenced well before the 5<sup>th</sup> anniversary of the Plan concerned to ensure an up to date Plan remains in place.

This advice is qualified that it is my best professional opinion at the time of writing. When determining an application submitted to it, the local planning authority will take into account all material considerations that are pertinent to the proposal at that time. This includes responses from statutory and non-statutory consultees and comments from members of the public. Nonetheless, the decision of the local planning authority will be made in accordance with the provisions of the development plan where relevant, unless material considerations indicate otherwise.

The above are my views and will hopefully enable you to decide whether to submit an application or not and what is required in the submission of an application. Please be aware that the Council may come to a different conclusion on a formal application or further matters may arise following consultation with interested parties, therefore I cannot provide any guarantee on the outcome of an application.

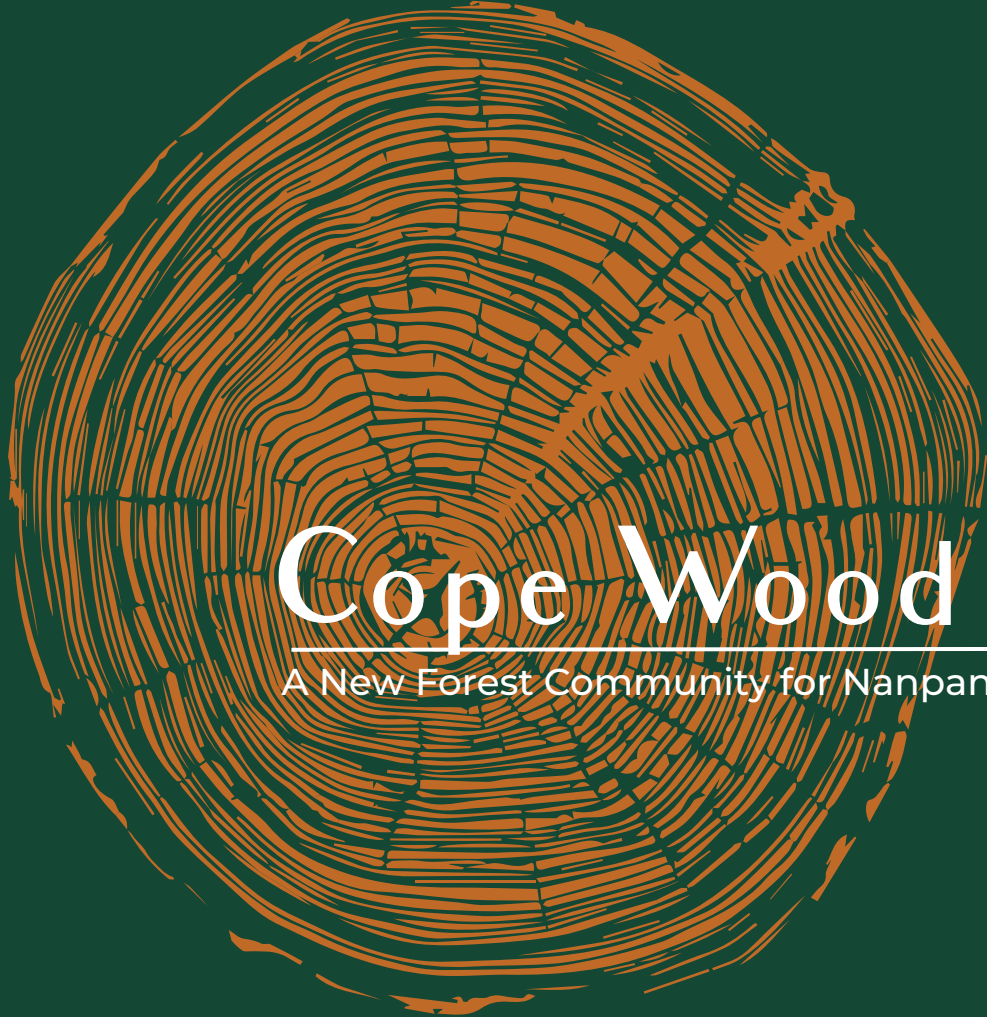
If you have any questions or require further information, please contact me on 07715041555 or Email [richard.brown@charnwood.gov.uk](mailto:richard.brown@charnwood.gov.uk)

Yours sincerely,

Richard Brown  
Team Leader Local Plans Charnwood Borough Council



## A.4 Appendix 4



# Cope Wood

A New Forest Community for Nanpantan



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Vision Document  
November 2022



*A Vision for the South West  
Loughborough Allocations*



*Creation of a Loughborough  
Gateway to the Regional Park*



*Biodiversity Net Gain  
and a Biodiversity Bank*



*Creating a Forest  
Community*



*Investing in  
Loughborough*



*Deliverability*





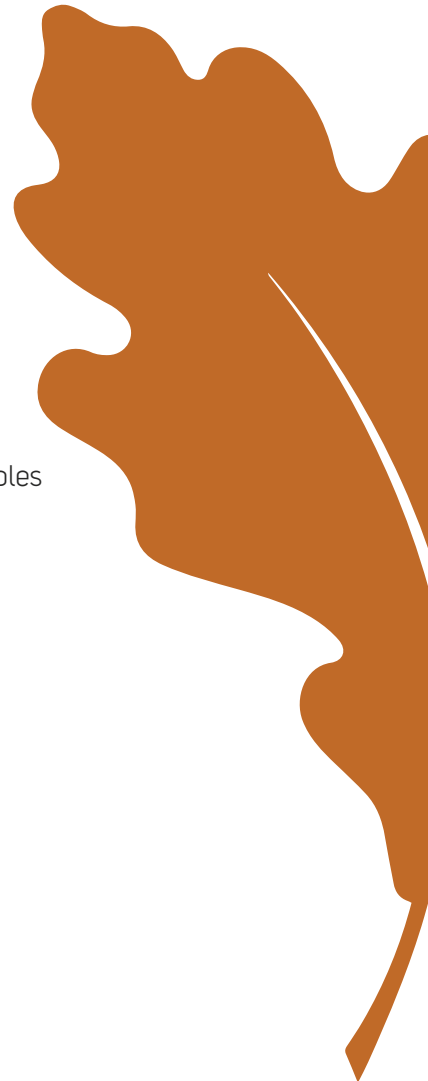
# Contents

Section 1: Foreword

Section 2: The 6 Key Principles

Section 3: The Masterplan

Section 4: Summary





# The Vision

Cope Wood will deliver sensitively designed high quality new housing within but respecting the character and appearance of the forest setting, securing a seamless transition between the town and countryside and include extensive networks of green infrastructure providing doorstep to countryside access and achieving a net gain in biodiversity and a biodiversity bank for the wider area.

The protection of the Forest is central to our vision shaping the scale, character and appearance of this exciting development opportunity. The proposal will integrate the Local Plan proposed allocations at south west Loughborough, creating a comprehensive and cohesive strategy for south west Loughborough and will importantly secure a gateway hub between the Town and the Forest, delivering on the objective to create a 'Regional Park'. It should be remembered that Outwoods was donated to the Council and the Charity see it's vision for a Regional Park in this location being fulfilled through these proposals for the benefit and enjoyment of all who come to the Charnwood Forest.







# Section 1 Foreword

Redrow Homes and Davidsons Developments are proud to be working with the Helen Jean Cope Charity, the landowner, in the delivery of a truly unique development opportunity in Loughborough. This Vision Document for *Cope Wood - A New Forest Community for Nanpantan* has been prepared as an update to the document prepared in January 2020 which outlined the exceptional opportunity presented by the site to deliver new housing, a range of tangible benefits to the natural environment and direct investment into the Town through the Charity.

This document will illustrate that the case for allocating the site is now even stronger given:

- the policy objective to expand the regional park;
- the scope to achieve a net gain in biodiversity and create a biodiversity bank for the wider area; and,
- how the site represents the 'missing' and most important 'piece of the jigsaw', in the context of other proposed allocations in the Policy EV4 of emerging Local Plan.

This document will illustrate that the site is a suitable and sustainable development option that should be granted planning permission to help address the chronic housing land supply shortfall. As well as delivering much needed housing in a highly sustainable location, the proposals support the emerging Local Plan's policy objective to expand the regional park and offers the scope to achieve net gain in biodiversity along with a Biodiversity Bank for use by other developments in the Loughborough area

The site holds the key to unlocking a publicly accessible regional park, a resource for all the allocated sites to deliver a biodiversity net gain and transport links which can only be connected through the site onto Nanpantan Road and then to the M1 rather than navigating through side streets and suburban rat runs. Without Cope Wood, none of these significant benefits can be realised.

## Key Benefits:-

HJC

Land value of up to 600 new homes invested on local projects



Creation of 58 hectares of publicly accessible green space



The expansion of a Regional Park through a Loughborough Gateway in accordance with Policy EV4



Provision of new cycle routes



Creation of new Charnwood Forest Gateway Hub



Approximately 80% of the total site committed to Green Infrastructure.



A net gain in biodiversity and a biodiversity bank for the wider area



A variety of equipped timber children's play and facilities play throughout the scheme, taking inspiration from the National Forest.



New wildflower meadow planting, returning 46ha of land from arable fields, enhancing biodiversity;



Potential to create a logical and feasible extension of 4 existing bus services through the site;



Significant new tree planting across 42 hectares of land on the slopes up to Outwoods;



Up to 600 high quality new homes to be delivered with a unique, National Forest identity.

## What is needed?

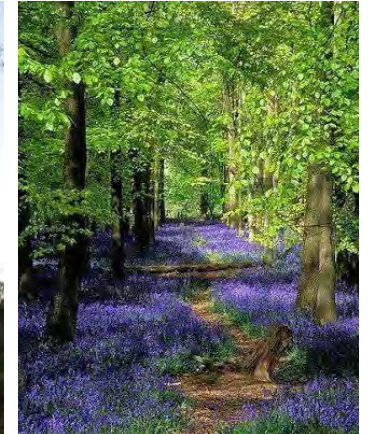
### *Planned Growth for South West Loughborough*

Given the constrained nature of the land to the north, south and east of Loughborough where the floodplain of the River Soar and separate settlement identity restrict the further v of the Town, and the commitment to development to the west in the form of Garedon Park and the Loughborough Science Park, this leaves the planned development to the south-west as the only unconstrained option for growth. This option has historically been discarded due to the perceived difficulty of expanding the urban area while protecting the setting of the Forest and understanding how development could be brought forward in a contained and controlled manner that would set a permanent edge to the Town.

This proposal begins with the consideration of the sensitive relationship between the Town and Forest and provides a robust and permanent landscape framework to contain and control development within it. The adoption of a landscape led approach to development has the potential to:

- Safeguard the setting of the Forest;
- Secure a permanent and managed transition between the urban area and the Forest;
- Provide continuous doorstep to countryside access between the urban area and Forest through the delivery of a significant piece of public green infrastructure;
- Deliver the Loughborough gateway to the Forest with associated community level infrastructure; and
- Deliver a major biodiversity land bank capable of servicing development offsetting requirements across the Borough.

This planned approach to development at south-west Loughborough is the only way to sensibly safeguard the setting of the Forest in perpetuity whilst delivering the vision for the Regional Park.



## Section 2

# The 6 Key Principles



A Vision for South West Loughborough Allocations



Creation of a Loughborough Gateway to the Regional Park



A Biodiversity Bank for Loughborough



Investment in Loughborough



A Commitment to Creating a Sense of Place



Deliverability

# 1 A Vision for South West Loughborough Allocations



An assessment of the character of the edges around south west Loughborough illustrates the historical approach to development which was inward looking and piecemeal. A greater vision is required which moves from a protectionist approach to a development strategy which focuses on enhancement of the local area.

Our 'landscape first' approach to south west Loughborough considered how the forest could be enhanced and extended to create a high quality and permanent edge to the settlement which would never be breached due to the value and quality of the natural environment created. This landscape led approach then informed the extent of land available for development, allowing the creation of a permanent, lasting edge to Loughborough which is outward looking and integrates with the Forest.

This approach is supported by the Draft Local Plan which states at paragraph 8.29:



*Our vision recognises the importance of Charnwood Forest and has shaped our development strategy for homes and jobs, especially around Loughborough and Shepshed.*

However, much of the focus of the draft strategy for growth at south-west Loughborough has not been consistent with this aspiration and sought to restrict development rather than securing a holistic environmentally led strategy that identifies potential for growth in tandem with an extensive and robust network of green infrastructure to contain development and maintain the transition between the urban edge and the forest in perpetuity.

The initial approach to CBC for this site looked at south-west Loughborough as a whole, rather than taking the site in isolation. The consideration of the site as part of a wider strategy for a series of Forest Communities looked at a holistic, deliverable and well-conceived strategy for development that addresses the transition between Loughborough and the Charnwood Forest.

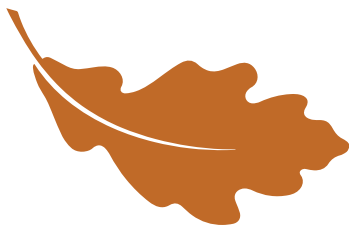
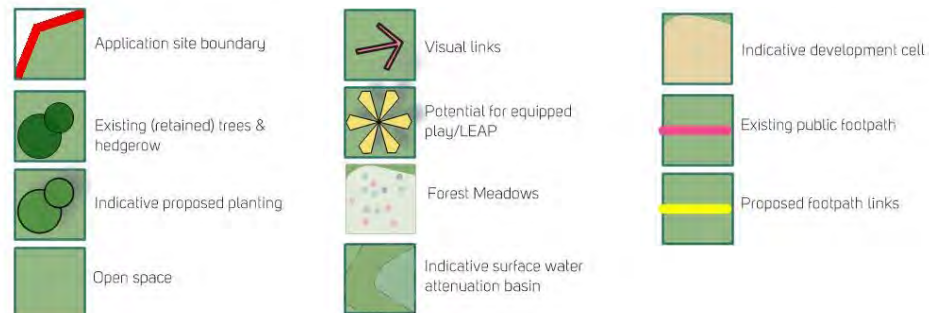
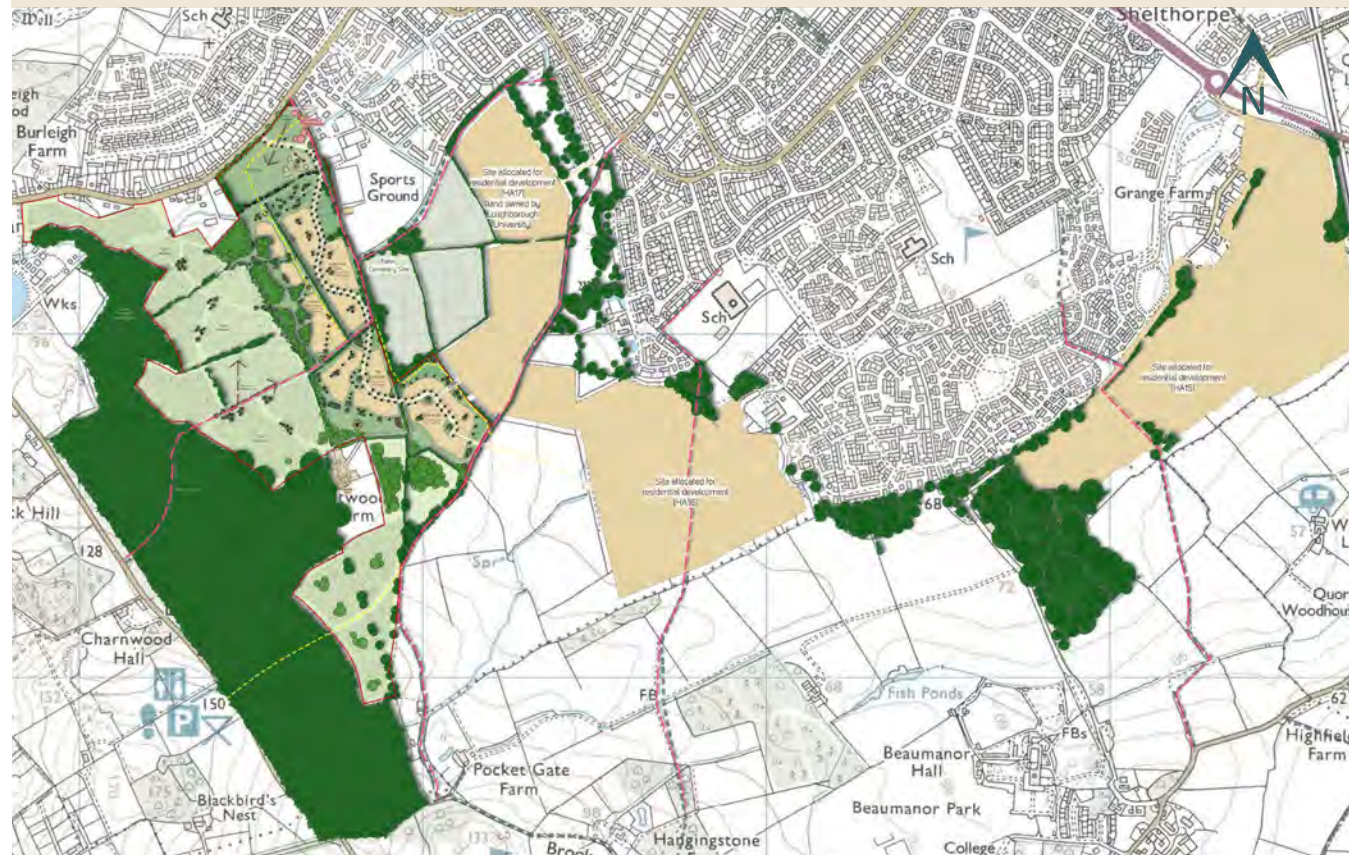
It is only by promoting such a strategy that there can be certainty of the development prospects within this landscape, but more importantly certainty of the green infrastructure and Regional Park facilities that will be delivered as part of it. The danger of not adopting such a strategy is twofold. Firstly, if developments are considered in isolation or piecemeal over consecutive plan periods, they will fail to deliver a strategic vision. Secondly, the lack of strategic thinking with regard to the green infrastructure creates uncertainty and risks further development along this edge in the future, without the landscape benefits.

The accompanying plans illustrate the current strategy in comparison to the opportunity that is presented by the development of this site.

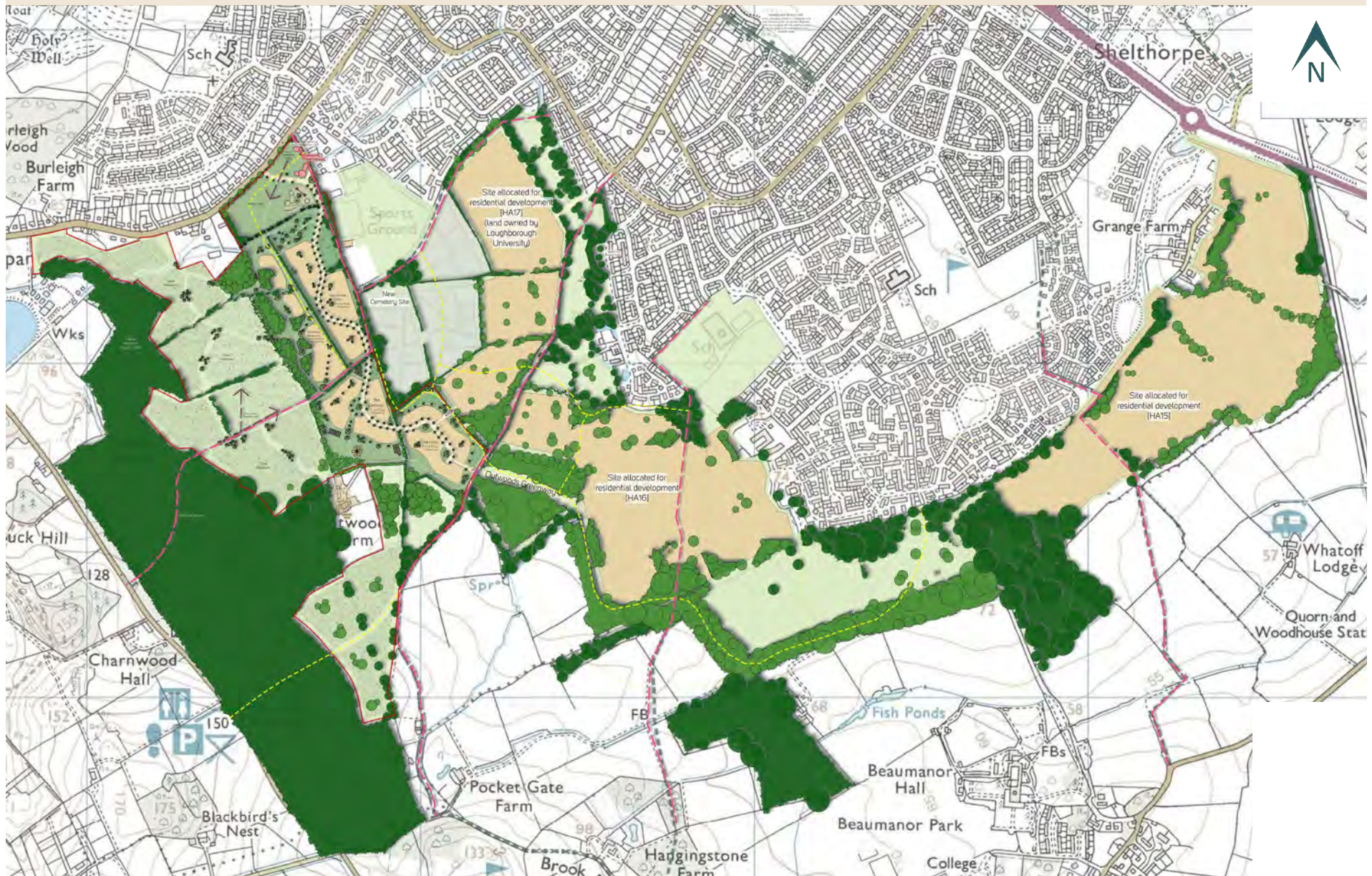
The wider masterplan illustrates how the development of Cope Wood is the key to unlocking a range of benefits to Loughborough by joining up the Submission Draft Plan proposed allocations as a series of Forest Communities with a new highway, similar in character to Woodhouse Lane. In doing so an even greater expanse of publicly accessible green space can be delivered, connecting communities and promoting movements towards the regional park on foot/bicycle. Furthermore, the subject site provides a potential solution to the biodiversity requirements associated with the allocations in South West Loughborough.

In addition, Cope Wood benefits from an access solution which provides direct access onto a primary route through Loughborough/Nanpantan as opposed to other allocations which are 'bolt-ons' to existing suburban areas, with traffic weaving through the existing suburban network. A comprehensive strategy to the allocations in south west Loughborough has clear highway benefits, facilitating direct access to Nanpantan Road and the M1 for the wider allocations as well.

# A Piecemeal Approach



# A Comprehensive Vision



# 2

## Creation of a Loughborough Gateway to the Regional Park

The Draft Local Plan recognises the pressure placed on the forest stating at paragraph 8.25:

“

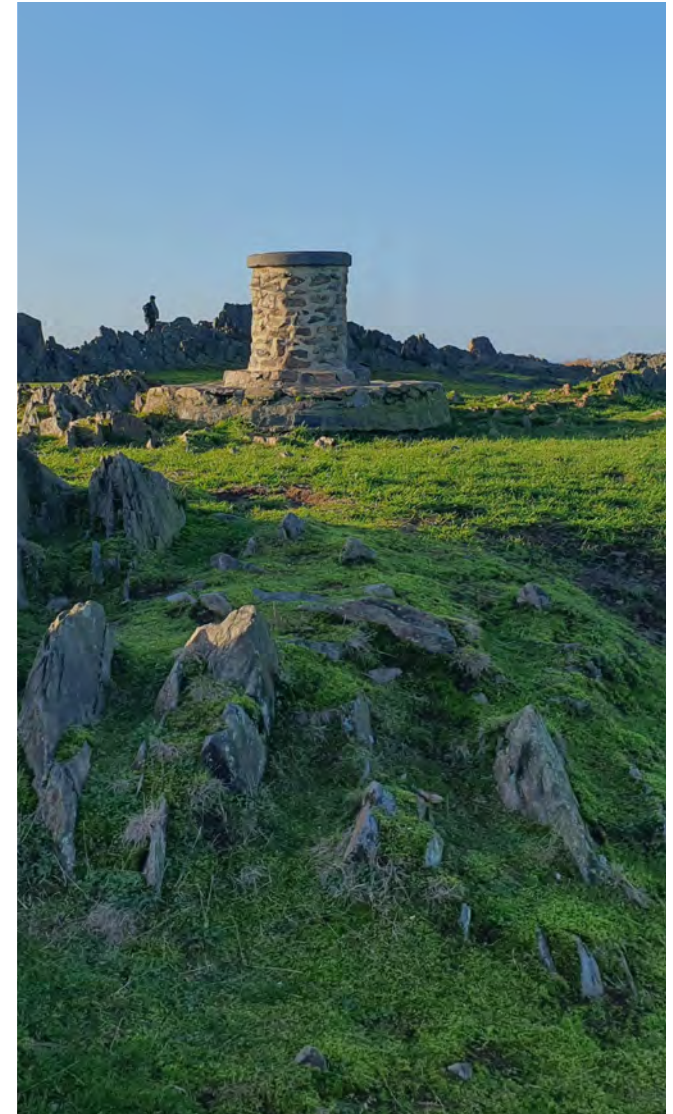
*It experiences significant pressure from visitors with much of the visitor pressure focussed on a few honey pot sites including Bradgate Park, Beacon Hill Country Park and the Outwoods all of which are in our Borough. Similarly, we will support the aims of the Landscape Partnership Scheme to provide a high-quality experience for visitors through both new or improved small-scale tourism facilities and through rural diversification. It is essential that visitor growth is managed in a way that is compatible with the special and unique character of Charnwood Forest.*

Policy EV4: Charnwood Forest and the National Forest states that the LPA “will work with our partners to protect and enhance the Charnwood Forest Regional Park and support the aims of the National Forest Strategy”.

The LPA will support development that:

- supports the woodland economy and rural diversification, including sustainable small-scale tourism and recreation opportunities which protect, and enhance the distinctive landscape character of the Charnwood Forest;
- protects and enhances the biodiversity of the Charnwood Forest Regional Park, consistent with the aims of the National Character Area profile of Charnwood;
- provides tree planting within the Charnwood Forest Regional Park, in accordance with the National Forest Planting Guidelines;
- provides an improved network of public rights of way within Charnwood Forest and between nearby settlements including the establishment of a network of off-road links for walkers, cyclists and equestrians; and
- improves accessibility for people with mobility issues including improved footpaths and parking for people with disabilities.

The current approach to the proposed allocations in south west Loughborough fails to meet this policy objective. The allocation of Cope Wood remedies this position, significantly increasing publicly accessible greenspace in and around the Charnwood Forest.







The Helen Jean Cope Charity (HJC) has been central to its philanthropic gifting for the benefit of Loughborough some of its most important forest assets such as Outwoods and Jubilee Wood. Central to this proposal is the completion of that philanthropy by the gifting of land extending to approximately 58 hectares which will provide:

- Publicly accessible land at the edge of the main urban area taking pressure away from the more sensitive central areas of the forest;
- Creation of a Loughborough Gateway to the Regional Park
- Enhanced and inclusive access allowing more varied access to a wider population close to their homes;
- Improved public interpretation and understanding of the forest through the delivery of a gateway hub;
- The long-term management and security of these new green public spaces as part of the legacy of the HJC.

The illustrative masterplan highlights the strategy for public open space, integrating the existing assets of the Moat Park, Sports Ground and the woods and demonstrates how these could be seamlessly linked as part of a strategic network of green infrastructure that will become an intrinsic part of Cope Wood. This strategy includes the creation of Nanpantan Park, the Wood Brook Coppice and Jubilee Meadows.



## CHARNWOOD FOREST GATEWAY HUB

- A potential facility delivered by the Helen Jean Cope Charitable Trust. The vision for this feature is for it to be a centre for information with the potential for additional uses such as cycle hire and a small shop/café, for example.



## THE GATEWAY

- An attractive view of the forest on the slopes above the site is experienced from Nanpantan Road at the entrance into the scheme. Given the vision for the site is to celebrate the forest setting this view is a key opportunity in creating a distinctive gateway to the scheme.



## NANPANTAN PARK

- This northernmost field, parallel to Nanpantan Road, will remain undeveloped and form a new community park;
- This will protect the view across to the woodlands, with houses to be nestled behind Wood Brook
- This is also an ideal location for a neighbourhood equipped area of play (NEAP) as it will benefit both existing and new residents.



## WOOD BROOK COPPICE

- New areas of woodland planting are proposed at the foot of the slope leading up to Outwoods/Jubilee Woods which will create an edge for the built form and contain the development;
- The new woodland will link through to Nanpantan Park at the western edge, crossing Wood Brook;
- New pedestrian routes will be formed through this area of woodland;



## JUBILEE MEADOWS

- The slopes extending west from Wood Brook Coppice leading up to Outwoods will be opened up for public access;
- New clusters of parkland trees and wildflowers are proposed to be planted across the slopes;
- Opportunities for sitting and enjoying the views across Loughborough from the elevated slopes above the proposed new housing will be created.



Overall, it is maintained that the site can deliver attractive and accessible green space with approximately 80% of the Charity's land ownership to be made publicly accessible and enhanced open space. This will deliver new areas of woodland, wildflower meadows, new tree planting and wetland areas (sustainable urban drainage and retention of existing ponds) and meet the aspiration within the draft Local Plan to enhance a Regional Park.

# 3 A Biodiversity Bank for Loughborough

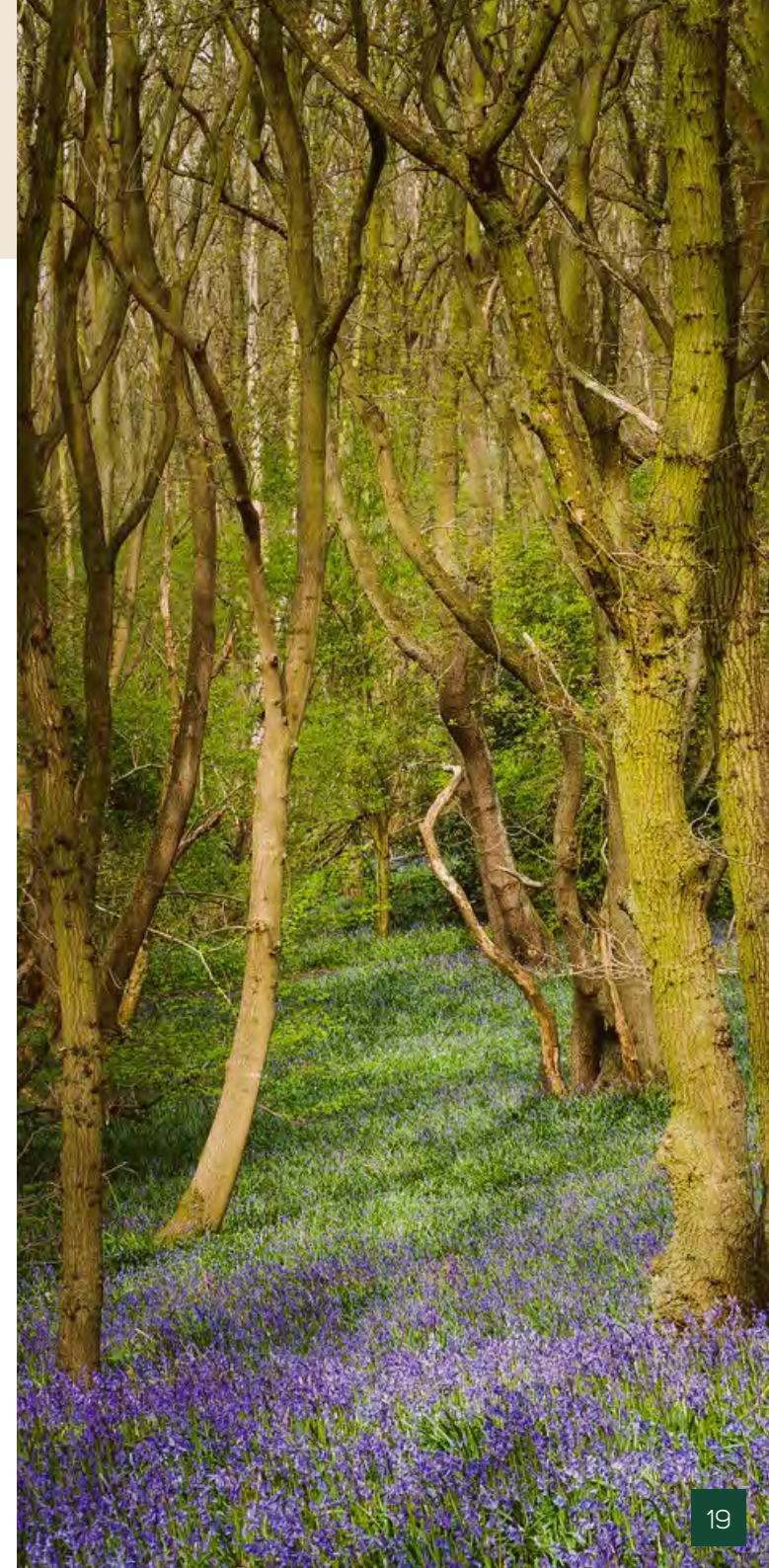
Alongside the benefits of new housing Cope Wood will deliver a net gain in biodiversity for the subject site and the creation of a “biodiversity bank” for the surrounding allocations. The proposals provide 58ha of publicly accessible green space, constituting 80% of the total site area. Large areas of arable farmland will be changed to new areas of woodland, wildflower meadows, new tree planting and wetland areas (sustainable urban drainage and retention of existing ponds).

The network of existing hedgerows will be integrated into the public realm, ensuring habitats and foraging routes are protected and the ‘green feel’ to the proposals is maximised.

A substantial element of tree planting will also be introduced throughout the residential areas to break up the built form and ensure that the character of the forest is embedded within the new streets and spaces. This will be achieved through a combination of tree lined streets and small copses or ‘holts’ of trees in pockets of green space.

The green infrastructure framework identifies an appropriate sustainable urban drainage strategy for the site with attenuation basins at various low points within catchment areas across the site to appropriate manage surface water. These features can also be designed as wetlands to enhance the biodiversity of the site.





# 4 Investment in Loughborough

The Helen Jean Cope Charity is based in Loughborough and was formed in 1998 to manage the distribution to charity of Jean Cope's estate, who's family had previously gifted part of The Outwoods and also Jubilee Wood to the town. Over the last 21 years the charity has provided over £5million to assist schools, village halls, churches, playgroups, art festivals, and all manner of groups catering for the needs of young, the old, the disabled, the homeless and the sick.

The Charity's Trustees make grants to Registered Charities, usually to achieve specific objectives. Grants normally range in size between £500 and £5000, although larger grants are made in some circumstances. It prefers applications to be from charities based in the East Midlands, but grants are also made to national charities where they can demonstrate that they will provide a benefit to the local catchment area. Grants are usually made for specific purposes, which can be made directly from proceeds arising from the charity's land interests.

This relationship with the Helen Jean Cope Charity is an important part of the background context to the land being promoted as not only does the site and its setting represent a real opportunity to deliver a high-quality and distinctive new housing development which is a step above other sites in the borough, but it will also deliver tangible benefits to local people, projects and charities in the East Midlands.





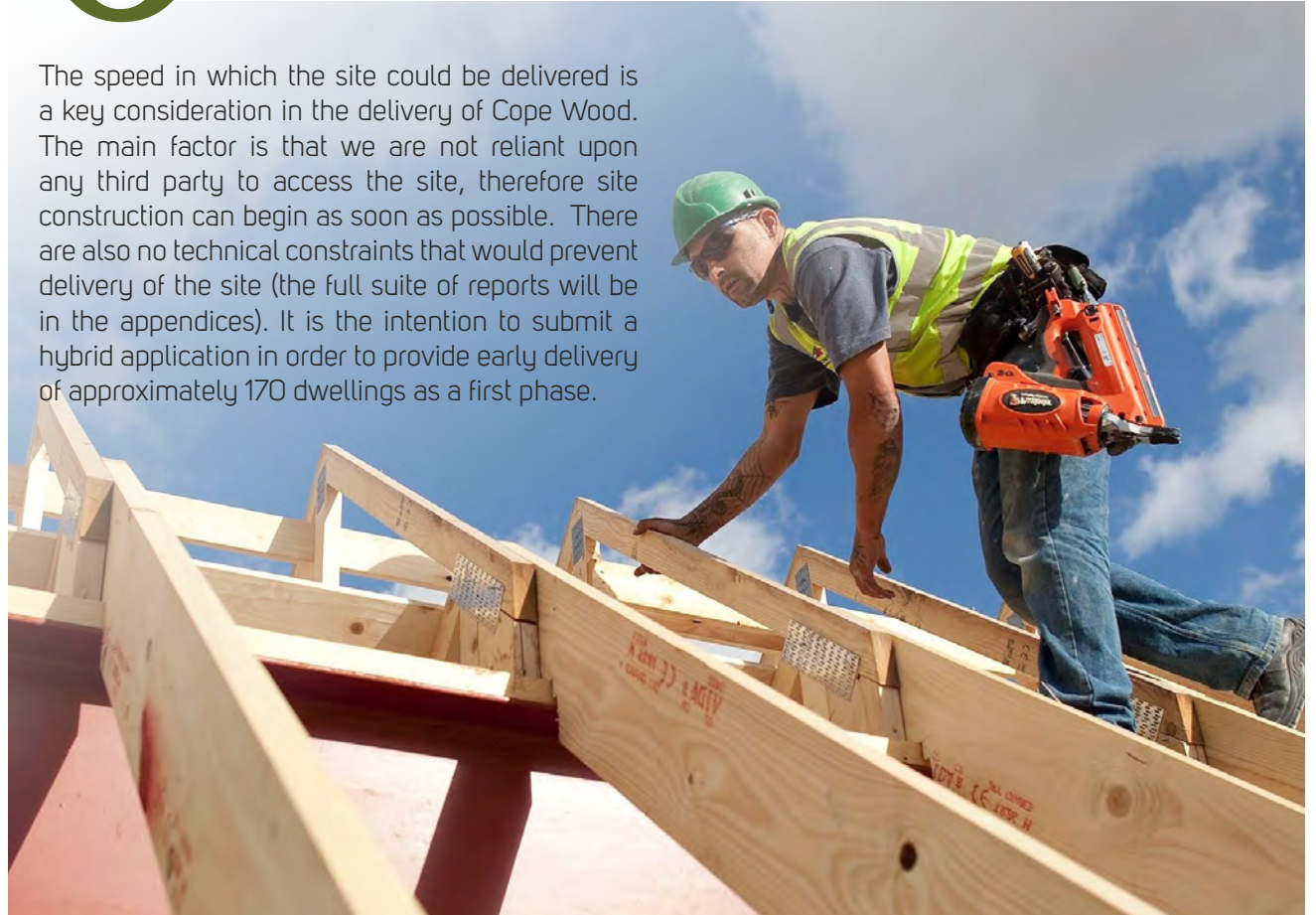
# 5 A Commitment to Creating a Sense of Place

Davidsons and Redrow are two of the region's premium housebuilders with a reputation for high quality new homes and placemaking. Both developers are committed to creating a forest inspired scheme which has a sense of place and reflects the characteristics of the forest. The scheme will represent an understandable transition between the best architectural quality of Loughborough and the vernacular of the Charnwood Forest. The vision is to create a transitional quality between the more formal, and dense Wood Brook Edge to the less sense and sylvan character of Outwoods Meadows, The Orchards and the Holts. Such an approach is critical to the success of any strategy for development to the south-west of Loughborough and would be delivered by the two developers, Redrow Homes and Davidsons Developments, specifically chosen by HJC for their acknowledged reputation for place making and delivering high-quality, well-designed housing.



# 6 Deliverability

The speed in which the site could be delivered is a key consideration in the delivery of Cope Wood. The main factor is that we are not reliant upon any third party to access the site, therefore site construction can begin as soon as possible. There are also no technical constraints that would prevent delivery of the site (the full suite of reports will be in the appendices). It is the intention to submit a hybrid application in order to provide early delivery of approximately 170 dwellings as a first phase.



**Phase 1**  
170 dwellings

**Phase 2**  
100 dwellings

**Phase 3**  
145 dwellings

**Phase 4**  
150 dwellings





## Section 3

# The Masterplan

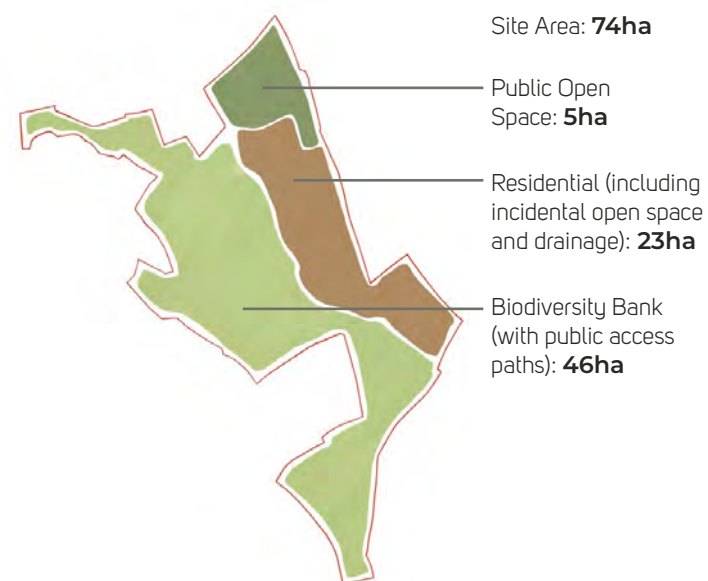


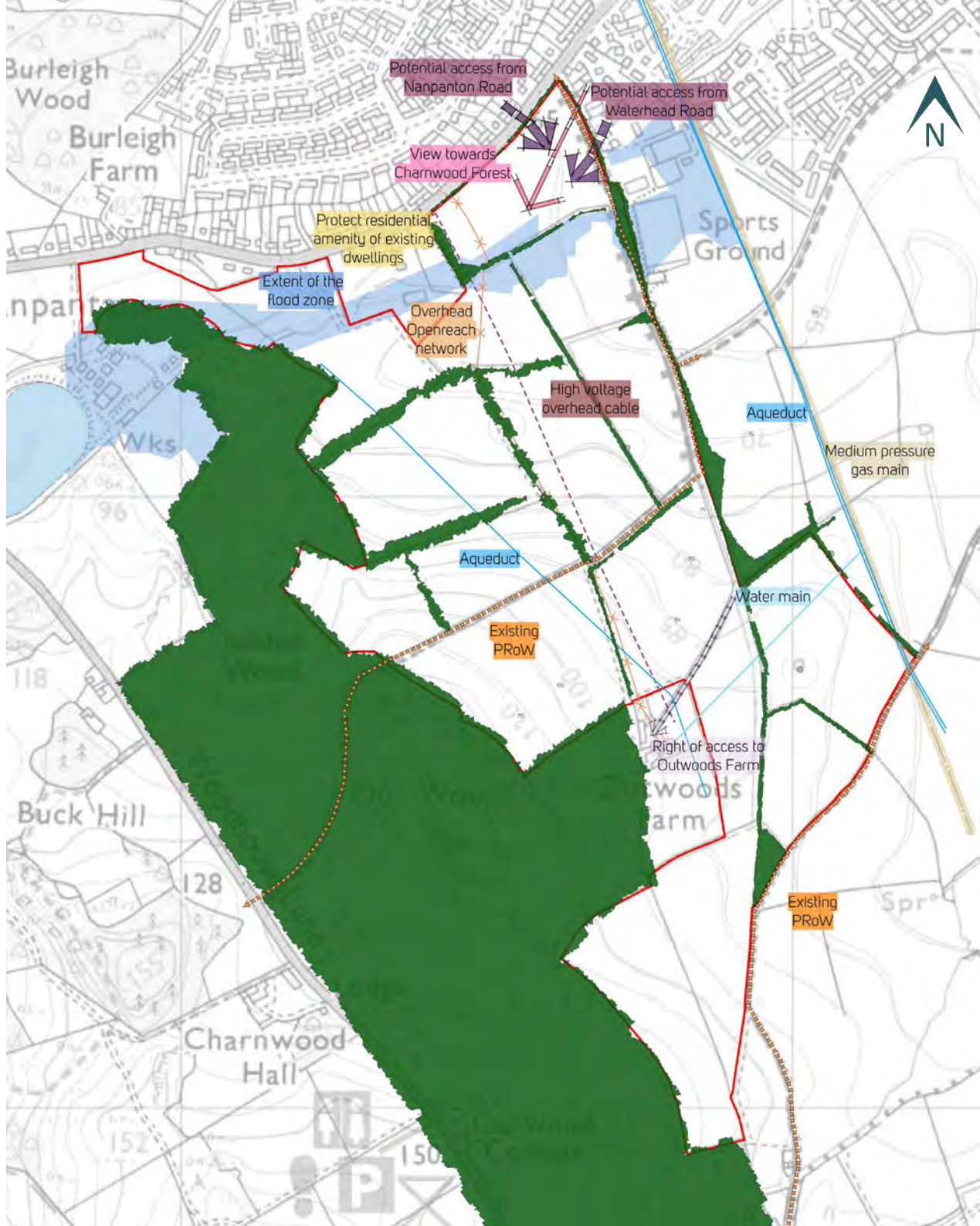
The previous sections of this document have outlined an exciting vision for the south west of Loughborough which will not only deliver housing but also extensive and lasting benefits to the community. This section provides further details on the subject site in particular, as a site that is immediately available, appropriate and deliverable.

### Site Description

The site extends between Nanpantan Road to the north and Outwoods Farm to the south. The land within the red line measures approximately 74ha, with the main body of the site to comprise residential development and associated open space measuring 23ha. The main body of the site comprises a series of medium to large scale geometrically shapes fields maintained as mixture of arable and pastoral farmland. The land is bound to the north and east by the urban setting of Loughborough. To the west the land rises towards the wooded ridge line of Outwoods and Jubilee Woods that extend up to Woodhouse Lane marking the eastern fringes of the Charnwood Forest. To the south the farmland setting transitions towards the farmed parkland setting of Beaumanor Hall at Woodhouse, to the east lies Nanpantan Sports Ground and proposed cemetery land. The balance of land reserved for biodiversity within the ownership of the charity extends to 46 hectares out towards Charnwood Forest. Outwoods and Jubilee Wood to the west are both publicly accessible forming part of a number of recreation areas that include the Beacon Hill Country Park, West Beacon Fields, Windmill Hill and deeper into the Forest to the south Bradgate Country Park.

Davidsons Homes and Redrow Homes have commissioned a suite of background reports to inform the preparation of a robust development proposal for land south west of Loughborough. The scope of the technical assessment has been extended beyond the site in order to fully appreciate the wider context and any potential constraints to development.





Constraints and Opportunities Plan

-  Application site boundary
-  Existing (retained) trees & hedgerow
-  Extent of the flood zone
-  Existing Public Right of Way
-  Proposed vehicle access
-  Right of access to Outwoods Farm
-  Visual links
-  Protect residential amenity of existing dwellings
-  Wildlife constraint (30m buffer)
-  Medium pressure gas main
-  High voltage overhead cable
-  Overhead Openreach network
-  Aqueducts
-  Water main



## Landscape & Visual

The Landscape and Visual Baseline Report prepared by Golby+Luck in support of these representations has undertaken a detailed analysis of the broad area south west of Loughborough, in order to identify the parcels of land most suited for development, and sets out a landscape strategy for development in this location.

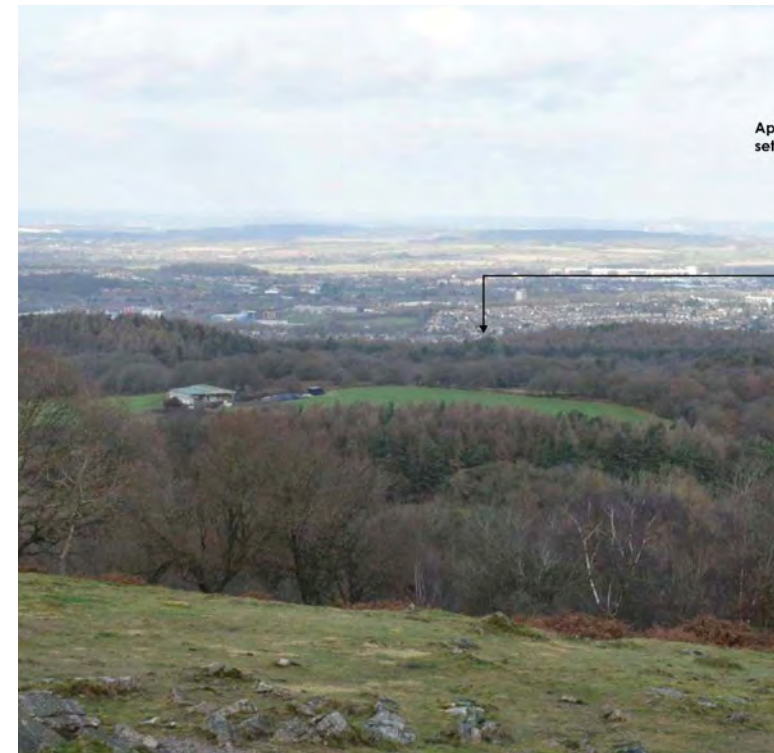
The report highlights that the primary constraint to development is the transition between the urban fringe of Loughborough to the east and the edge of Charnwood Forest to the west, which is linked to changing character and topography within the wider area. This forms the starting point for our landscape-led approach to development, which is key to ensuring a successful site which respects and responds to its setting whilst delivering a high-quality scheme in a sustainable location.

The land adjacent to the urban fringe comprises a relatively flat arable landscape that both in terms of character and visual setting engenders a less complex and standard landscape setting. Moving to the west at around the 85m AOD contours the landform begins to steepen developing a rolling character with increased complexity and when combined with the wooded setting of the ridge greater scenic quality.

Key views have also been taken into account, both of the site itself, and across it to its wider landscape setting. These views confirm the need for development to secure a robust woodland setting for development, creating parcels which are compartmentalised and facilitate significant new areas of landscaping to be incorporated throughout.

Having understood these constraints, it is clear that the scale, form, mass and appearance of the development must respond to the transitional quality of the landscape. This has informed the proposed approach of creating small clusters of development in Forest Communities, which emphasise the changing character of the development as it moves west from the urban fringe.

The Landscape and Visual Baseline Report identifies the following key landscape guidelines for the successful delivery of the Forest Communities concept:



1. Ensure that development is retained on the lower lying section;
2. Set development back from the Nanpantan Road frontage to safeguard the view towards Charnwood Forest;
3. Safeguard and enhance the existing public access and recreation function of this landscape. Consider the creation of a Forest Gateway or Hub providing information and services for the local user groups;
4. Create a strong framework of woodland and open meadows to replicate the mosaic pattern of land uses that are typical of the Charnwood Forest;
5. Identify development cells that can be pepper-potted within this framework creating the Forest Suburbs that will present as enclaves of development carved out of the mosaic setting of woodland and meadows;
6. Secure buildings that reflect the transition from the suburban setting of Loughborough to the rural character of the Charnwood Forest. Building scale and materials will be central to this.
7. Avoid built form that would be prominent in views from the ridge line and Beacon Hill either in height or materials, most notably colour.





## Movement & Connections

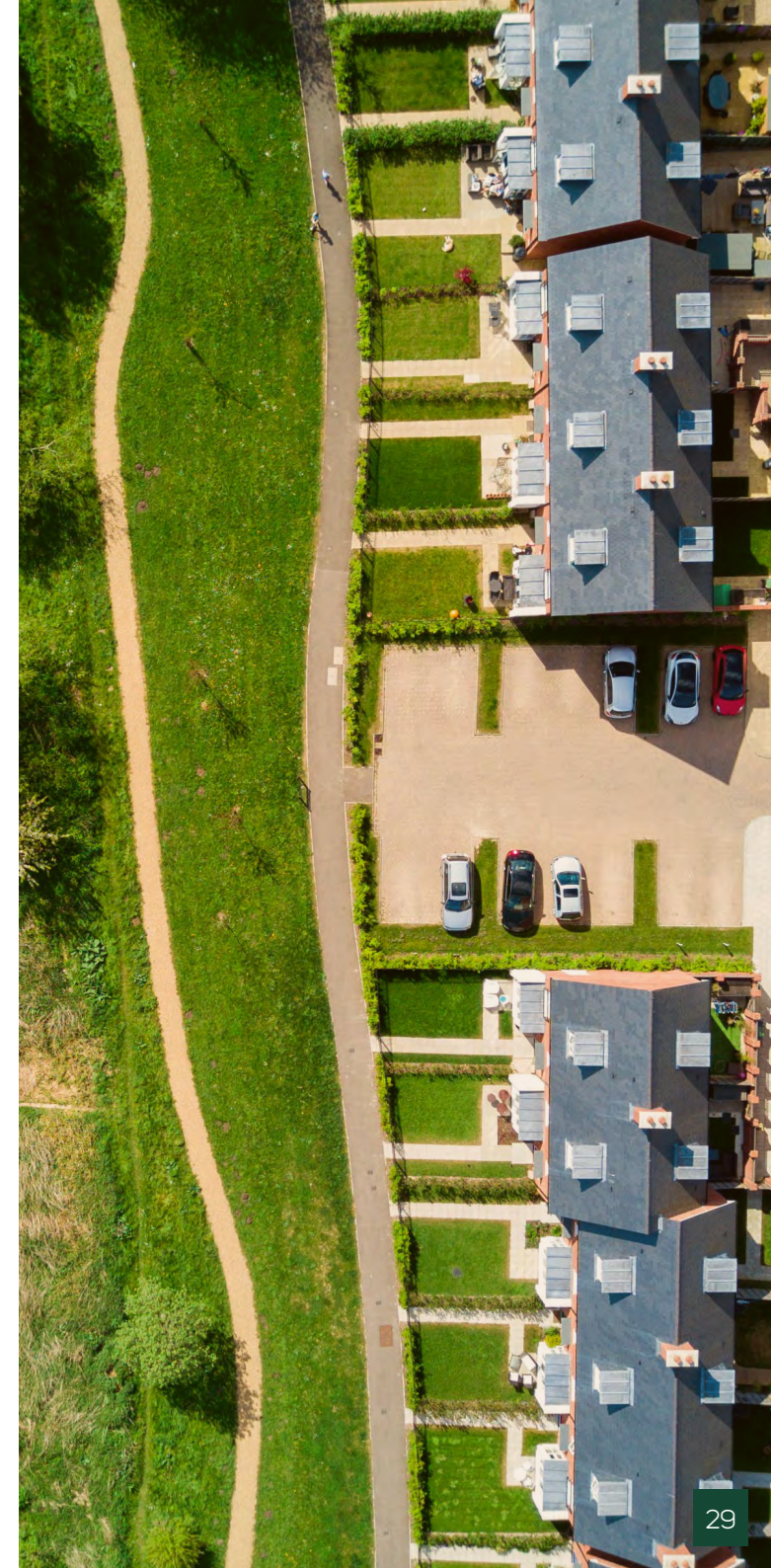
The site is in an inherently sustainable location, on the edge of the largest town in Charnwood Borough. There are numerous local facilities and considerable existing infrastructure available to facilitate journeys by sustainable modes of transport, which the development will connect to and enhance.

The masterplan is underpinned by the following movement principles: -

- two suitable and deliverable vehicular access points are achievable, one off Nanpanton Road via a ghost island T Junction and a second as an extension and reconfiguration of Watermead Lane.
- the two proposed access points are connected by a spine route which loops through the site.
- a 6.75m wide carriageway is proposed to accommodate future public transport penetration of the site;
- the route of the loop would ensure all residents are within 400m of the bus route.
- a 3m pedestrian/cycle footway will be provided on one side of the spine road
- existing public footpath routes run through the site connecting it with the neighbouring Outwoods and Jubilee Woods to the west and surrounding countryside to the south.









- new pedestrian routes to connect up the existing rights of way and create a permeable network of walking;
- the pedestrian routes promote localised journeys within the new community on foot and also open up the countryside and woodland to each doorstep, both of which will bring health and well-being benefits to new residents.





Masterplan

-  Application site boundary
-  Existing (retained) trees & hedgerow
-  Indicative proposed planting
-  Open space
-  Visual links
-  Potential for equipped play/LEAP
-  Forest Meadows
-  Indicative surface water attenuation basin
-  Indicative development cell
-  Existing public footpath
-  Proposed footpath links

## The Masterplan

The illustrative masterplan has been informed by the emerging technical information and the priorities to set a clear vision for the delivery of up to 600 new homes.

The masterplan gives a realistic idea of the site capacity:

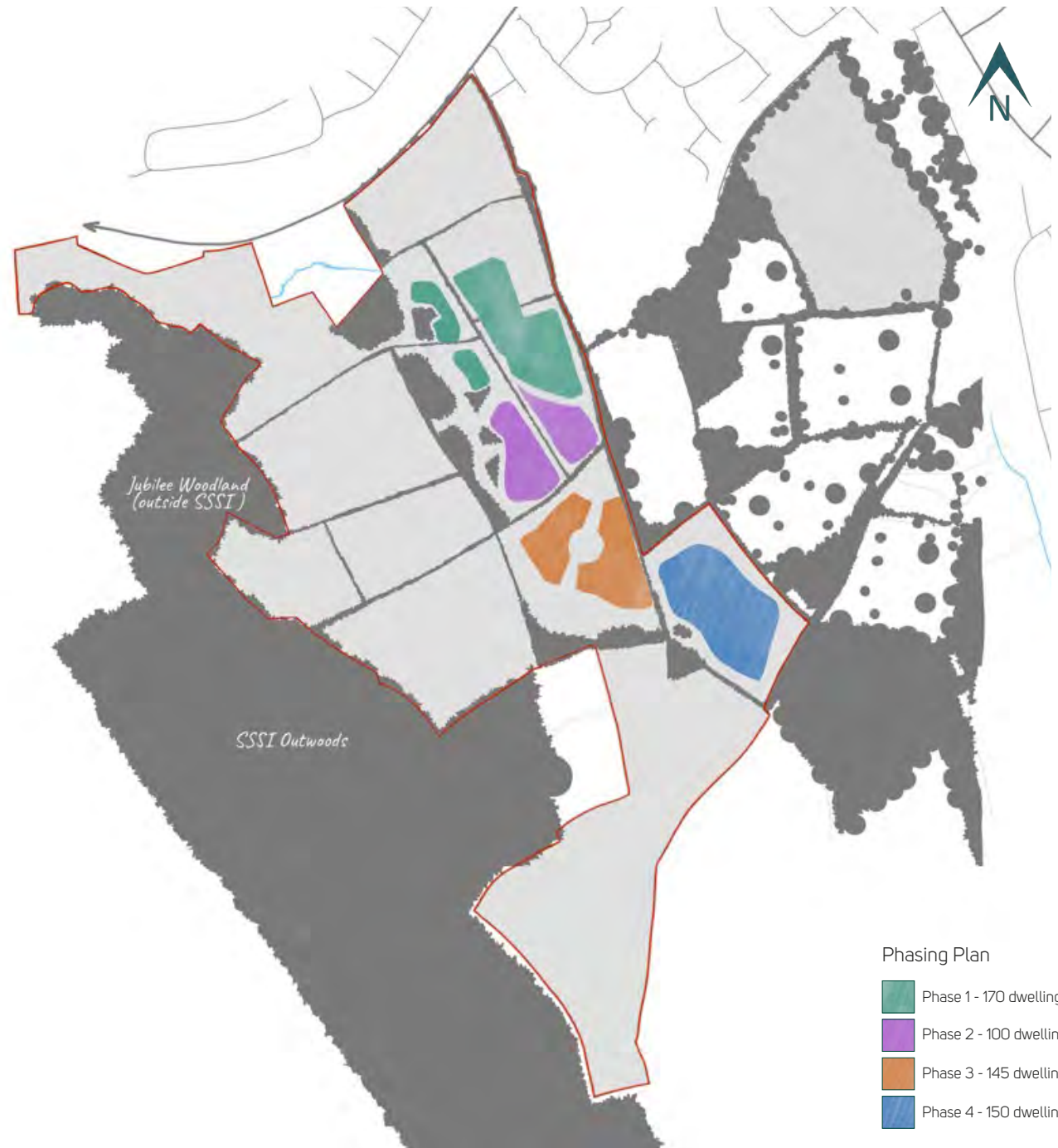
- approximately 16 hectares of the site is identified for development, factoring the parameters of the site, which equates to less than 20% of the land within the ownership of the charity.
- this will deliver between 400-600 new homes depending on mix and density. Testing layouts will be undertaken in the future to establish capacity.
- approximately 80% of the land within the charity's ownership will be set out as green infrastructure with less than 20% of the land developed.
- the accompanying phasing plan identifies that the site can be developed in 4 phases, each of between 100-200 dwellings via deliverable access points.

As previously identified the overarching vision for the masterplan is to reflect the setting of the Charnwood Forest and therefore new tree planting is the thread running through the masterplan to create a cohesive new development. In order to bring variety to the scheme the delivery of this sylvan character will be achieved through the provision of character areas will create a varying densities and different features: -

- Wood Brook Edge: More formal and planned housing with tree lined streets – 35 dph
- Outwoods Meadows: Lower density housing with woodland areas pedestrian – 25 dph
- The Orchards: Housing areas with fruit trees and allotments – 35 dph
- The Holts: Featuring groups of trees located in key green spaces – 37 dph

The architectural style of the proposed houses will be explored as the proposals progress and evolve however the general appearance will seek to portray the Arts and Crafts heritage of the local area in this document illustrate how the development can respond to the local vernacular in conjunction with the creation of a high quality landscape setting for the scheme.

Overall, it is maintained that the masterplan creates an exciting vision for a place with a unique identity which responds to the context and landscape setting, meeting the principles of Building for Life 12 to form a high quality new community.





## Section 4

# Summary



Redrow Homes and Davidsons Developments are proud to be working with the Helen Jean Cope Charity in the delivery of a truly unique development opportunity in Loughborough. Cope Wood will not only secure direct investment into the Town through the Charity but also a development of the highest quality that embellishes the identity of Charnwood and the Forest environment.

Cope Wood will secure a seamless transition between the Town and countryside and include extensive networks of green infrastructure and a net gain in biodiversity and a “biodiversity bank” for the wider area.

The protection of the Forest is central to our vision shaping the scale, character and appearance of this exciting development opportunity. The proposal will secure a gateway hub between the Town and the Forest helping to expand and enhance key recreation and tourism infrastructure as part of the emerging Regional Park.

Cope Wood will secure a mosaic of woodland, meadows and recreation space encapsulating new areas of housing and providing doorstep to countryside access. Our new homes will be designed in response to the local vernacular, transitioning from the prominent architecture of the late 19th and early 20th Century that defines the urban setting of the Town to the more intimate scale and appearance of the Arts and Crafts architecture of the Forest.

Cope Wood aims to set a benchmark for new housing development in Charnwood through a commitment to place making and the delivery of high environmental and design standards.



HJC

Land value of up to 600 new homes invested on local projects



Creation of 58 hectares of publicly accessible green space



The expansion and enhancement of a Regional Park through a Loughborough Gateway in accordance with Policy EV4



Provision of new cycle routes



Creation of new Charnwood Forest Gateway Hub



Approximately 80% of the total site committed to Green Infrastructure.



A net gain in biodiversity and a biodiversity bank for the wider area



A variety of equipped timber children's play and facilities play throughout the scheme, taking inspiration from the National Forest.



New wildflower meadow planting, returning 46ha of land from arable fields, enhancing biodiversity;



Potential to create a logical and feasible extension of 4 existing bus services through the site;



Significant new tree planting across 42 hectares of land on the slopes up to Outwoods;



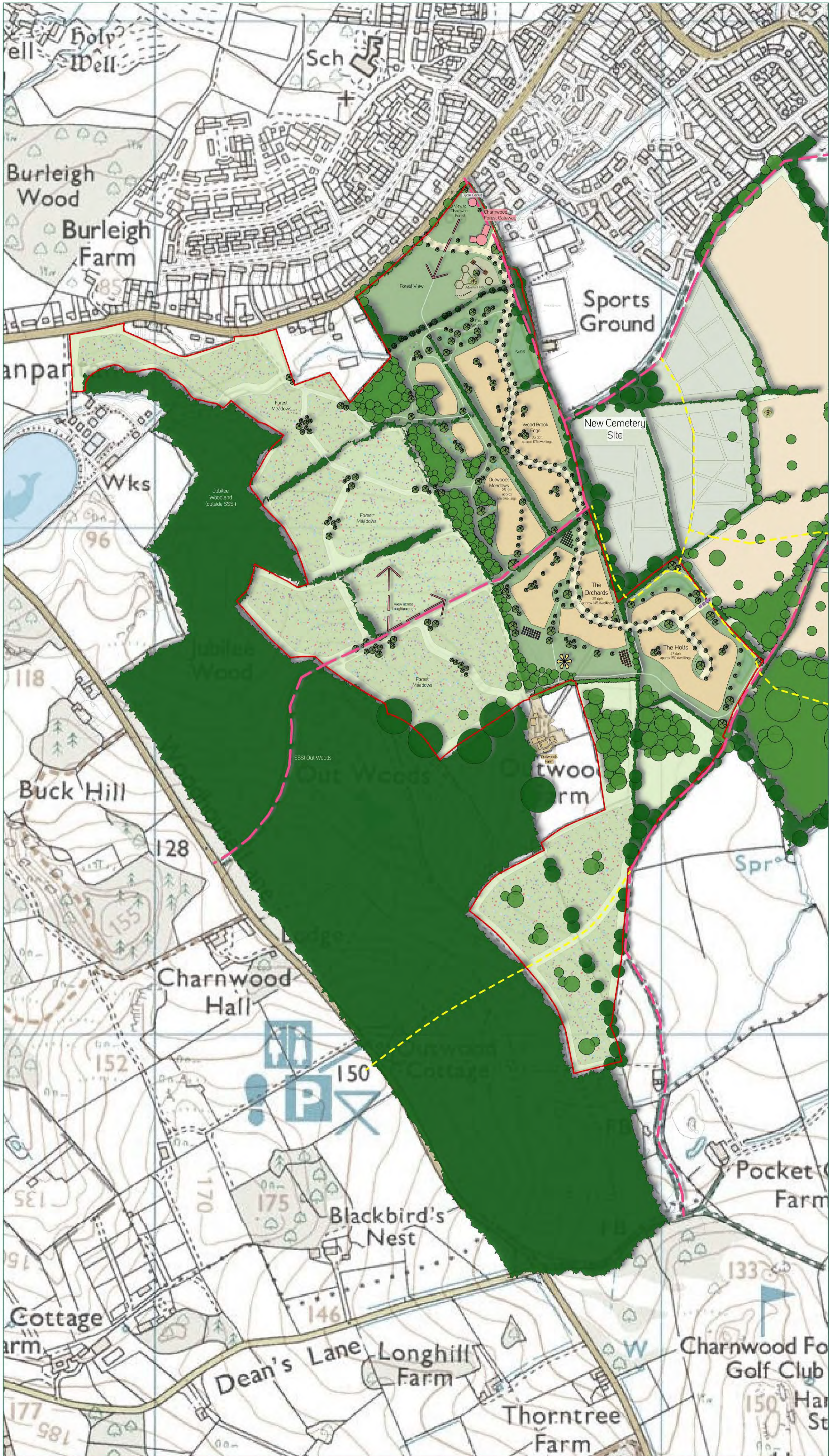
Up to 600 high quality new homes to be delivered with a unique, National Forest identity.


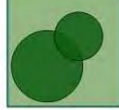
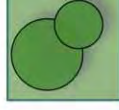


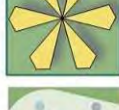


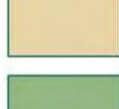
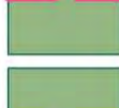

In conclusion it is maintained that this vision document clearly outlines the unique opportunity and significant benefits that development of the land under the ownership of Helen Jean Cope Charity for residential development. These benefits are: -

- the site's suitability, availability and achievability for residential-led development
- the tangible and significant local benefits of this site;
- the flexibility for the site to yield various quanta of development;
- the ability of the site to deliver housing in the short term;
- the wider opportunity to integrate this scheme with other potential housing sites; and
- certainty through the creation of a lasting and permanent edge to this side of Loughborough.



## A.5 Appendix 5



- Key
-  Application site boundary
  -  Existing (retained) trees & hedgerow
  -  Indicative proposed planting
  -  Open space
  -  Visual links
  -  Potential for equipped play/LEAP
  -  Forest Meadows
  -  Indicative surface water attenuation basin
  -  Indicative development cell
  -  Existing public footpath
  -  Proposed footpath links

0 100 200m



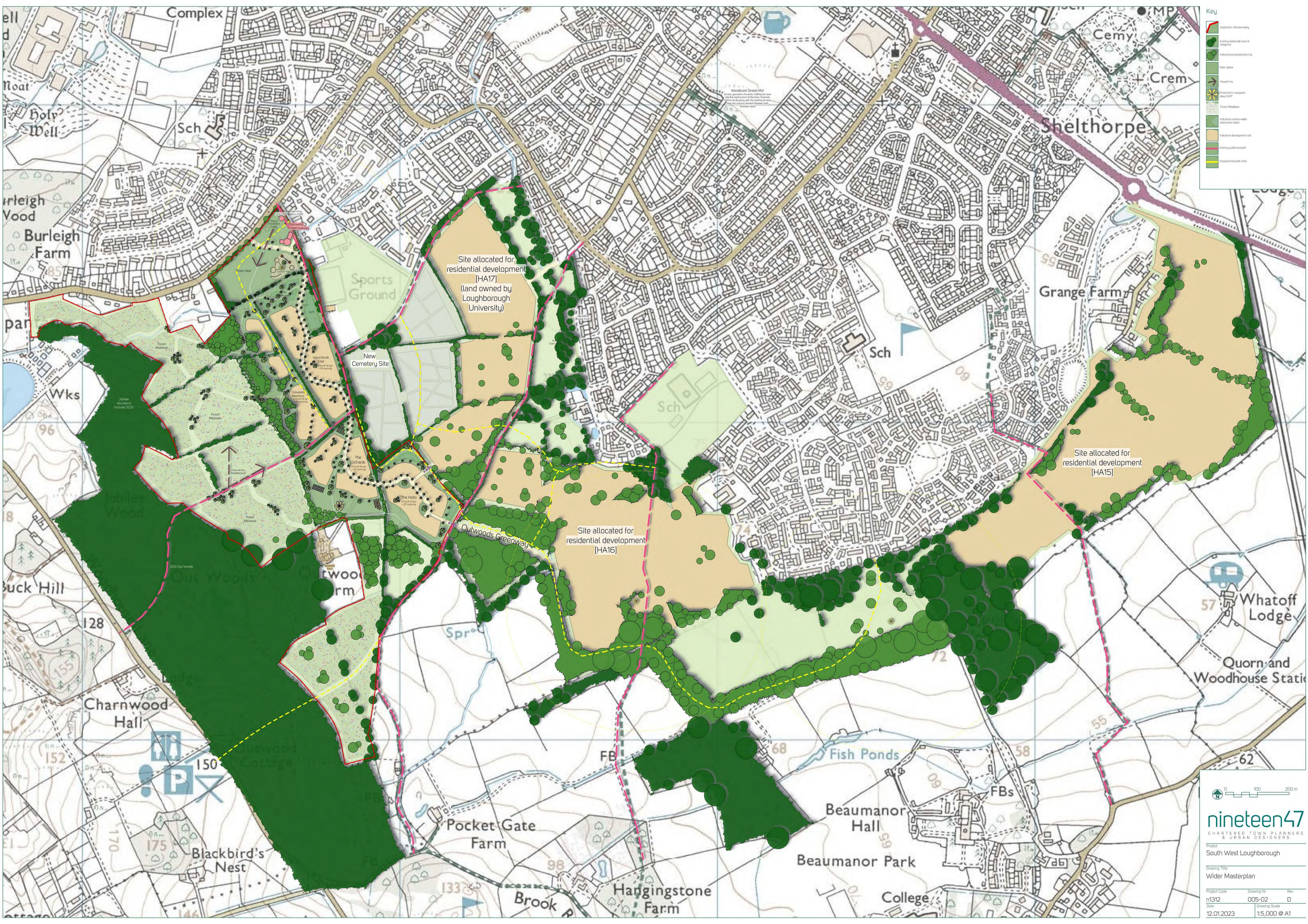
**nineteen47**  
 CHARTERED TOWN PLANNERS  
 & URBAN DESIGNERS

Project  
 South West Loughborough

Drawing Title  
 Masterplan

| Project Code | Drawing Nr    | Rev |
|--------------|---------------|-----|
| n1312        | 005           | N   |
| Date         | Drawing Scale |     |
| 12.01.2023   | 1:5,000 @ A2  |     |

## A.6 Appendix 6



**Key**

- Application site boundary
- Existing green spaces
- Potential green spaces
- Green lanes
- Road lines
- Potential for mapped floodplain
- Flood Meadows
- Potential surface water attenuation basin
- Potential development cell
- Potential public layout
- Potential greenway

Site allocated for residential development [HA17] (land owned by Loughborough University)

Site allocated for residential development [HA16]

Site allocated for residential development [HA15]

0 100 200 m

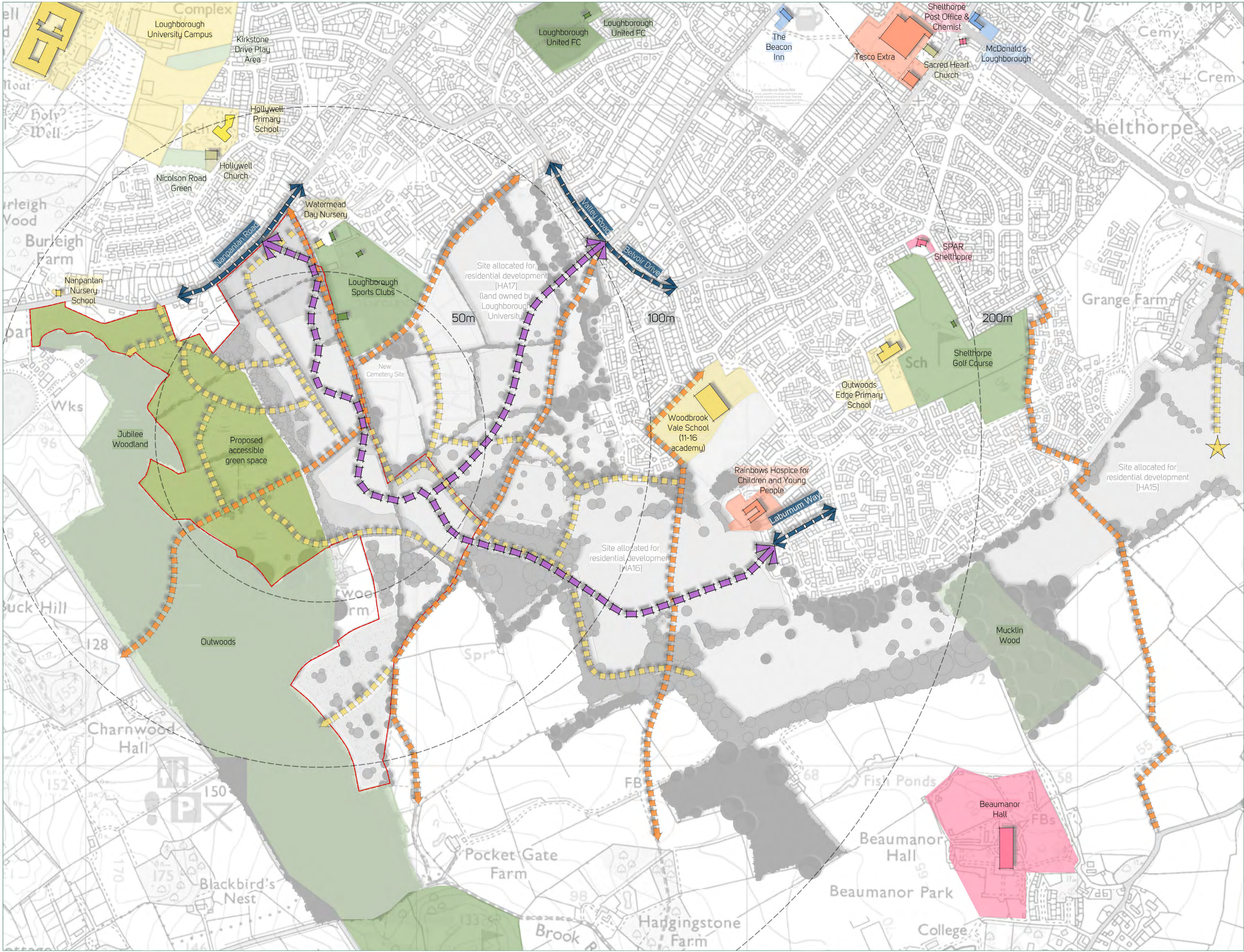
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 CHARTERED TOWN PLANNERS & URBAN DESIGNERS

Project: South West Loughborough

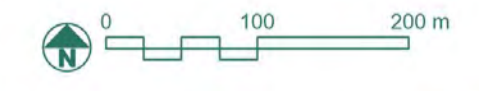
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| Project Code: n1312 | Drawing No: 005-02          | Rev: D |
| Date: 12.01.2023    | Drawing Scale: 1:5,000 @ A1 |        |

## A.7 Appendix 7



- Key**
- Application site boundary
  - Existing highway
  - Proposed highway
  - Existing Public Right of Way (PRow)
  - Proposed pedestrian links to increase permeability and connect PRow's
  - Proposed accessible green space
  - ★ Proposed primary school
  - Pubs & Eateries
  - Community Services
  - Places of Worship
  - Sports Facilities
  - Playing Fields / Play Parks
  - Education
  - Other



**nineteen47**  
 CHARTERED TOWN PLANNERS & URBAN DESIGNERS

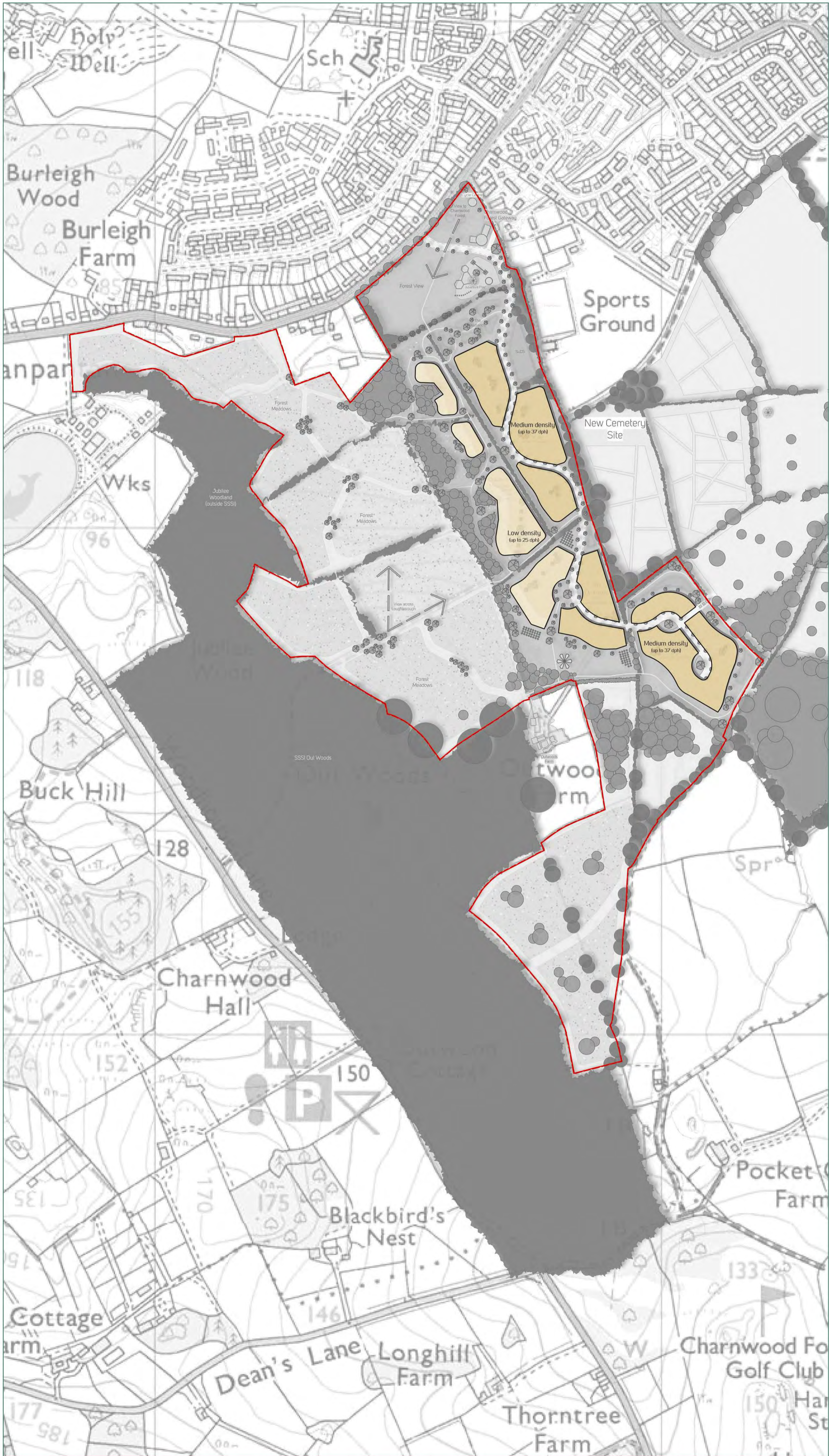
Project: South West Loughborough

Drawing Title: Movement and Facilities Plan (with red line)



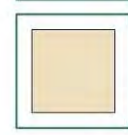
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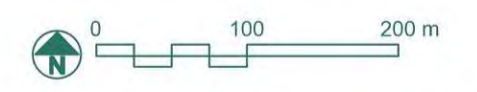


## A.8 Appendix 8



Key

-  Application site boundary
-  Medium Density (up to 37 dph)
-  Low Density (up to 25 dph)



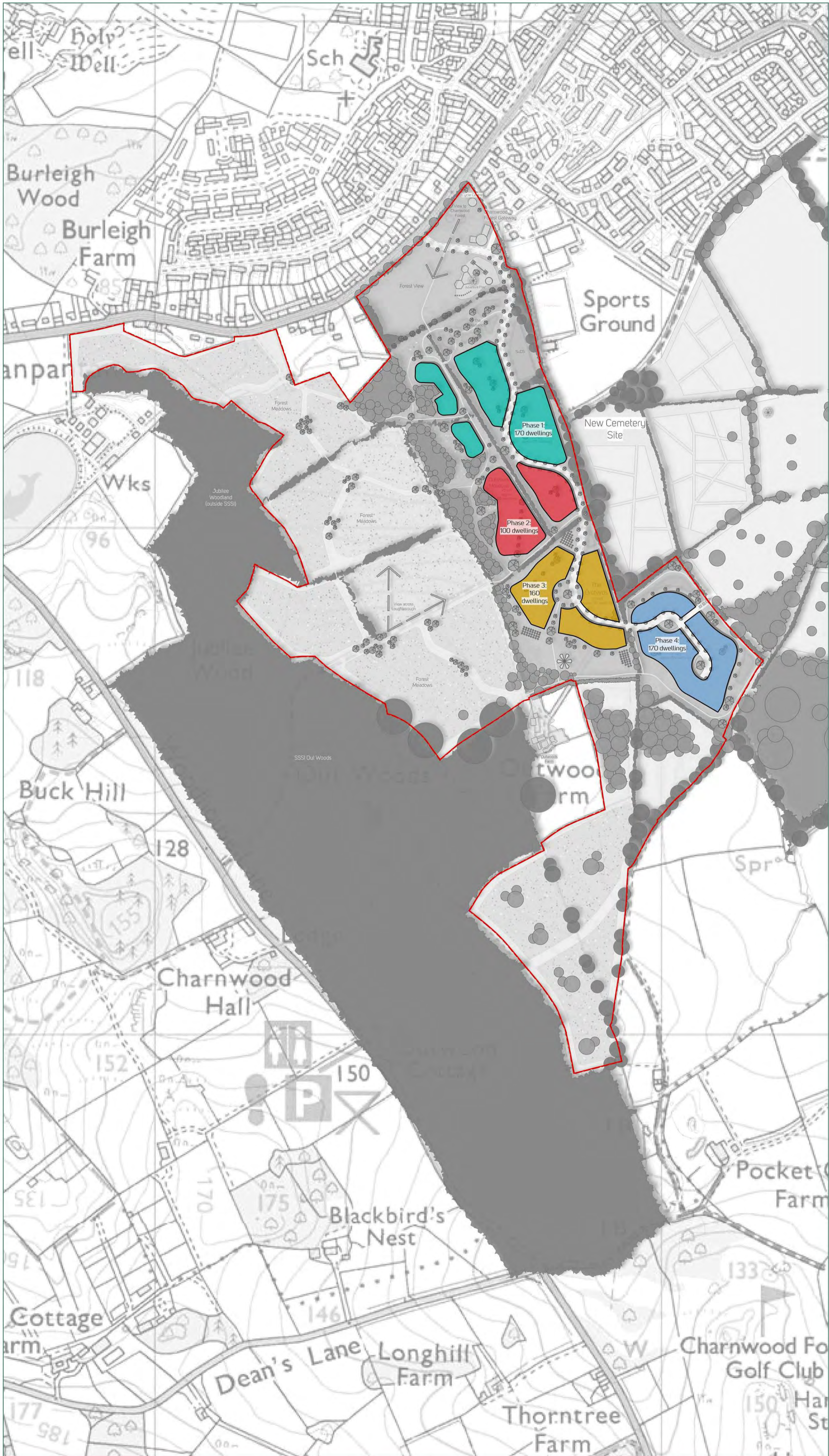
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 & URBAN DESIGNERS

Project  
 South West Loughborough

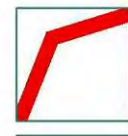
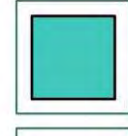
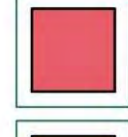
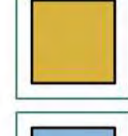

Drawing Title  
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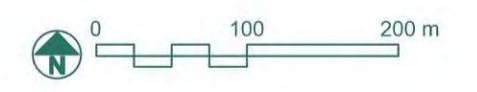
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| n1312        | 402           | A   |
| Date         | Drawing Scale |     |
| 27.08.2024   | 1:5,000 @ A2  |     |

## A.9 Appendix 9



Key

-  Application site boundary
-  Phase 1: 170 dwellings
-  Phase 2: 100 dwellings
-  Phase 3: 160 dwellings
-  Phase 4: 170 dwellings



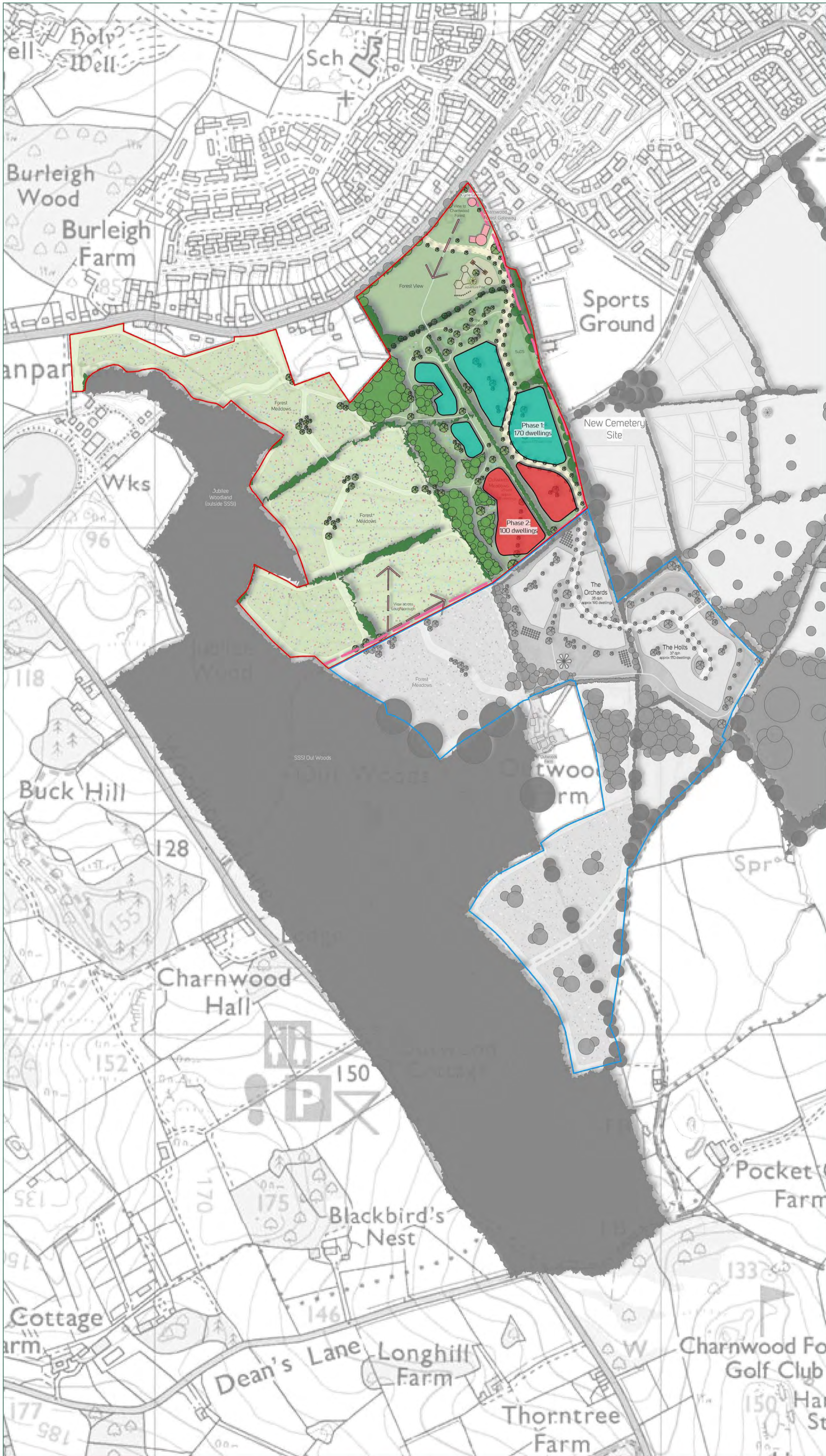
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 CHARTERED TOWN PLANNERS  
 & URBAN DESIGNERS

Project  
 South West Loughborough

Drawing Title  
 Phasing Plan

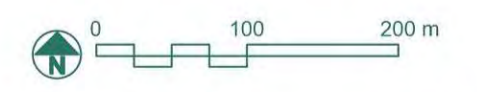
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| Date         | Drawing Scale |     |
| 29.08.2024   | 1:5,000 @ A2  |     |

## A.10 Appendix 10



Key

- Site boundary: Full Application 270 dwellings
- Site boundary: Outline Application c.330 dwellings
- Phase 1: 170 dwellings
- Phase 2: 100 dwellings



**nineteen47**  
 CHARTERED TOWN PLANNERS  
 & URBAN DESIGNERS

Project  
 South West Loughborough

Drawing Title  
 Hybrid Application Plan

| Project Code | Drawing Nr    | Rev |
|--------------|---------------|-----|
| n1312        | 404           | B   |
| Date         | Drawing Scale |     |
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## A.11 Appendix 11

# LAND TO THE SOUTH OF NANPANTAN ROAD, LOUGHBOROUGH TRANSPORT UPDATE STATEMENT

21 August 2024

## 1.0 INTRODUCTION

1.1 In August 2021, ADC Infrastructure produced a Highways Statement in support of development south of Nanpantan Road as part of the Regulation 19 Consultation of the Charnwood Local Plan<sup>1</sup>. Three years on, this Update Statement has been produced.

## 2.0 SUSTAINABLE TRANSPORT

2.1 The revised scoring assessment in the Highways Statement remains true. The site would have excellent accessibility, with existing bus services on the edges of the site and the opportunity to enhance and/or divert them offered by the development. Healthcare and a secondary school would be within walking distance.

2.2 Transport provisions are often focussed on overcoming deficits in capacity during commuter peak periods. What is sometimes lost is journeys made for other purposes, such as leisure. A development of the site has the significant advantage of being able to open up the large residential areas on the western side of Loughborough to the outdoor space further west, including the Outwoods. Enhancement of the limited number of existing footpaths, and the provision of new routes, would significantly improve accessibility to open green space.

## 3.0 VEHICLE ACCESS

3.1 The conclusions from the Highways Statement are unchanged. Access to the site can be provided from Nanpantan Road. Access can also be provided from the allocated sites to the east, such as HA16 and HA17. In that way it will be possible to deliver an integrated road network that allows accessibility and permeability by all modes of transport. The road network would accommodate buses, cycle lanes, and pedestrian routes.

3.2 These wider connections were shown in the Vision Document under the heading The Wider Options, and remain a significant opportunity that would be deliverable by development of the site. The Vision Document, and its movement plan, show a potential road network that could provide relief to traffic in the western parts of Loughborough. In particular, it would provide routes away from the heavily congested Epinal Way, notably towards the M1, Shepshed, and along the B591 Nanpantan Road towards Coalville and its many employment opportunities.

## 4.0 TRAFFIC IMPACTS

4.1 The conclusions from the Highways Statement are unchanged. The Local Plan evidence base emphasises that traffic movements in the Borough would be focussed on Loughborough, it being a key location for employment, schooling, retail, and other journey purposes. The main roads in and out of Loughborough experience high traffic flows, and there are gateway junctions around the town that are highly congested. Thus, development inside those gateway junctions would have the least traffic impact.

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<sup>1</sup> Highways Statement, ADC Infrastructure, 23 August 2021 (reference ADC1891-RP-I-v3)



- 4.2 It also remains the case that the strategic assessment of traffic impacts resulting from the Local Plan growth have significantly underestimated the already significant congestion in Shepshed, which will get significantly worse with a large allocation of housing. None of the junctions in Shepshed are identified in Leicestershire County Council’s list of highway interventions that would be paid for by their Transport Contributions Strategy.
- 4.3 The Council’s own modelling concludes that significant active travel measures are necessary to deliver the Borough’s growth, and the location where such measures would be most effective is in Loughborough, the largest settlement in the Borough. A large development at South West Loughborough can readily take advantage of the already excellent infrastructure for cycling and walking, can enable an extension of a 15 minutes frequency bus route, and take advantage of sustainable transport initiatives.

## **5.0 CONCLUSIONS**

- 5.1 A development of the site would provide significant transport opportunities and benefits that go beyond the specific mitigation that would be required anyway. A permeable development would provide access to outdoor space for existing residents on the western side of Loughborough. The road network could be delivered to link existing estates and the proposed allocations, providing a relief road around the western side of the town, relieving the significant congestion along Epinal Way. The site would be an extension of the largest settlement in the Borough, where there is greatest opportunity to enable active travel, bus journeys, and reduce the reliance on the private car.

## A.12 Appendix 12

Tom Ayres  
Director/Regional Lead – Planning  
RPS Tetrattech

cc. Helena Taylor, RPS Tetrattech  
Helen Prangley, Davidsons Developments  
Louise Ward, Redrow Homes  
John Edmond, Silver Fox Consultancy

Issued by email only

**RE: SOUTH WEST LOUGHBOROUGH, LAND SOUTH OF WATERMEAD WAY – MAIN MODIFICATIONS UPDATE ON BIODIVERSITY**

Dear Tom,

Further to our recent meeting and subsequent correspondence, we have reviewed the work completed previously to inform the promotion of the land to the local plan (RammSanderson 2022) and are comfortable with an approach that detailed survey work and a more in depth approach to biodiversity net gain should be taken as the project progresses toward an application, and therefore, design details develop and become more readily available. The concepts of the scheme remain consistent, and in short, due to the area of land available and as intended to be brought forward as a habitat bank adjacent to the proposed allocation, there is more than sufficient area of habitat in order for the subsequent planning application to achieve a 10% biodiversity net gain, and for a significant habitat bank to be created alongside it as a result of this scheme. Design principles for the habitat bank, will be linked to the application /allocation site, and the requirements to buffer the adjacent ancient woodland. Principles taken into the masterplan development so far include planting a 25m strip of new woodland along the eastern edge of the Outwoods and Jubilee Wood, for the length of the site's border with them. Also, for acid grassland to be retained and enhanced, and for new scrub planting, especially using gorse and broom, to both control access around the area and into the adjacent woodland, and to provide striking visual interest when in flower.

**INTRODUCTION**

RammSanderson were instructed to carry out a review of the ecological requirements and surveys undertaken to date, as well as detail the next steps and further surveys required at this site to progress the scheme from an allocation in the Charnwood Local Plan through to the submission of an outline planning application for this site. The proposals include a residential led mixed use development, habitat enhancement areas and an adjacent habitat banking scheme, potentially as a separate planning application, on land South of Watermead Way, South West Loughborough (central grid reference: SK 51545 17068). This review is based on the illustrative master plan n1312-005G, though it should be noted that this plan is likely to evolve along side the scheme and will be informed by additional survey and investigation.

The site comprises predominately large arable and grassland field compartments, demarcated by hedgerows and Beacon Hill, Hangingstone and Out Woods SSSI adjacent to the western boundary. Wood Brook runs through the northern section of the site, a tributary of the River Soar to the east. The residential area of Nanpantan located to the north, Woodthorpe and Shelthorpe residential areas to the east, and the main town centre of Loughborough c.2.5km northeast.

Historically the site has been arable cropland throughout the previous surveys, dating back to 2019, and has since been kept in arable rotation with the same management routine and the current site conditions are such. A phase 1 walkover and condition assessment survey were undertaken in June 2022 and these reports pertaining to this site below were previously shared with Charnwood Borough Council:

- RSE\_5960\_01\_V1: Preliminary Ecological Appraisal (2022)
- RSE\_5960\_L1\_V1: Letter report & draft BIA (2022)
- RSE\_3326\_01\_V1: Preliminary Ecological Appraisal (November 2019)

Figure 1: Site boundary



## BIODIVERSITY IMPACT ASSESSMENT

A site walkover and condition assessment survey was undertaken in June 2022 by RammSanderson Ecology, from this a BIA calculation was undertaken in biodiversity metric 3.1 (for more in-depth results see RSE\_5960\_01\_V1), this identified a score of 144.5 baseline biodiversity units for habitat areas, and 72.2 units for hedgerows. Based on the current proposed plan there will be quantified net gain in biodiversity of 160.3 habitat units (110.8%) across habitat areas and a gain of 8.6 hedgerow units (11.9%). Wood Brook which runs through the site east to west close to the northern boundary is yet to be assessed as the development extent is not yet finalised, as such river units have not been included within the draft BIA. A MoRPH survey will be undertaken to inform this in due course.

The above BIA has since been translated into the 2024 statutory metric, results of which are shown within figure 2 below:

Figure 2: 2024 Draft BIA results

| FINAL RESULTS  |                                       |        |
|--|---------------------------------------|--------|
| <b>Total net unit change</b><br>(Including all on-site & off-site habitat retention, creation & enhancement) | <i>Habitat units</i>                  | 120.57 |
|  | <i>Hedgerow units</i>                 | 3.67   |
|  | <i>Watercourse units</i>              | 0.00   |
| <b>Total net % change</b><br>(Including all on-site & off-site habitat retention, creation & enhancement)    | <i>Habitat units</i>                  | 83.49% |
|  | <i>Hedgerow units</i>                 | 5.08%  |
|  | <i>Watercourse units</i>              | 0.00%  |
| <b>Trading rules satisfied?</b>  | <b>No - Check Trading Summaries ▲</b> |        |

With the habitat bank site incorporated into the results, the site remains at a significant net gain for habitat units, with the metric showing it would be possible to deliver 83% uplift, well in excess of the required 10% net gain. Hedgerows are also showing a positive score though this now falls below the required 10% at present and as such, this will be factored into future landscaping and design schemes in order to raise this and meet the 10% threshold as a minimum.

Although it should be noted that this is in absence of updated condition assessments and proposal plans, which have the potential to alter these results, based on the preliminary draft calculation, we are confident that this development has the capacity to comfortably meet the required 10% net gain by a combination of on site (landscaping and POS around the application area) and off site (the adjacent habitat bank /landscape buffer, as proposed).

## HABITAT ENHANCEMENTS

Given the location of the site adjacent to Beacon Hill, Hangingstone and Out Woods SSSI along the western portion of the site, the current plans have taken the opportunity to improve local biodiversity and connectivity, whilst in turn preserving the integrity of the adjacent ancient woodlands. A minimum of 25m width strip of woodland is planned for creation along the edge of the existing woodland, where it meets the allocation boundary; this will increase the area of woodland and provide a protective buffer to the existing offsite SSSI woodlands, reducing impacts such as light and noise. Adjacent to this created woodland strip, gorse and mixed scrub planting is also proposed, to create a more natural, gradual ecotone as well as incorporating structural diversity into this area. Beyond this the habitat will then blend to grassland, and where grassland of value is present now, this will be retained and enhanced, and scrub planting concentrated on areas where arable farming has extended to the woodland edges. Both the scrub and woodland planting will also be utilised to direct pedestrian and cyclist movements around the landscape buffer, and we will work closely with the design team to ensure walking and cycling routes are created in suitable locations, whilst protecting ecological receptors identified. Recreational users will be guided along an aesthetically pleasing proposed new circular route and access into the SSSI sites will be controlled, rather than encouraged per se, by planting and the alternative new walking and cycling routes.

Within the grassland areas, and where appropriate based on the topography of the site, acid grassland is proposed to be retained and enhanced, or created. Small areas of gorse interspersed with rocky dry and sandy soils were present in small unmanaged areas along the western portion of the site at its highest point; this lends itself to acid grassland creation which is locally scarce and would offer a significant benefit to local biodiversity.

Habitat management and future monitoring will be detailed within a Habitat Management and Monitoring Plan (HMMP) report to detail the creation methods, and detail how the area will be managed for a minimum of 30 years. This would be a condition of any future planning permission; however, we recommend this is drafted early on and consulted on with the LPA Ecologist to ensure the proposals are well received.

Considering all the above and given the current management of the majority of the site as low distinctiveness arable land, the proposed enhancement area which will be utilised both to offset the development and to deliver a significant habitat bank in Loughborough, the scheme has the potential to significantly elevate and protect local biodiversity, to provide structural diversity, and ecological connectivity and value to local fauna species.

## SURVEYS

A planning application for this site would be supported by ecological surveys and updates to existing survey data in order to establish the sites use, species present and continue to feed into the design of the site from both a biodiversity and landscape point of view.

These surveys identified as being required include:

- Full suite of bat transects and in situ static monitoring (April to October)
- Ground level tree assessments to assess the trees suitability for roosting bats and barn owls (Any time of year)
  - Subsequent nocturnal or climbing surveys as required (May to August)
- Badger survey of the site and surrounding suitable habitats within 50m of the site boundary where access permits to identify setts and signs of use by badger (any time)
  - Subsequent follow up surveys as required if badgers are identified
- Full suite of breeding bird surveys covering the site and woodland edge habitats (March to June)
- Modular river physical habitat (MoRPh) survey to assess the condition and river type of the watercourse onsite and within 10m of the site boundary. This will then subsequently feed into the BIA score (Any time of year)
- Updated UKHabs and condition assessment surveys and subsequent update BIA (Summer)
- Detailed botanical assessment including NVC of nearby SSSI woodland to monitor current condition, likely impacts, and any additional areas of higher botanical diversity if identified within the above UKHABS survey (Spring and Summer)
- eDNA of all ponds that fall within 500m of the site boundary (March to July)
- Otter, white clawed crayfish and water vole survey of all watercourses and suitable terrestrial habitat on site and within 100m of the site boundary (Spring and Autumn)
- Reptile survey (Spring and Autumn)
- Invertebrate Survey (Spring to Autumn)

Following this, the results will be summarised into an Ecological Impact Assessment (ECIA) and inform the BIA and subsequent HMMP.

Further information relating to these proposed surveys can be found within the most recent PEA report RSE\_5960\_01\_V1 if required.


## SUMMARY

The proposed development has been thus far carefully considered with provisions made for ecology and the protection of biodiversity on site, in particular the protection of the adjacent ancient woodland to the west. Overall, the proposals will provide a significant increase in biodiversity units via the delivery of a significant habitat bank, and create a protective buffer strip along the existing high priority SSSI woodlands situated to the west.

Advice and close consultation with Charnwood Borough Council would be beneficial in order to ensure all possible opportunities for ecology are considered and assessed, it is our intention to engage with the local authority throughout this process as the site has the potential to present a positive opportunity for ecology and biodiversity, as discussed.

I trust the information provided here is satisfactory at this time, should you have any queries, or require any clarifications, please do not hesitate to call me directly.

Yours sincerely,



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For and on behalf of RammSanderson Ecology Ltd.

Enclosures: None