



The countryside charity  
Leicestershire

# **Leicester Local Plan**

## **CPRE Leicestershire response to Regulation 19 Consultation**

**February 2023**

**Charity Number 1164985**

**[www.cpreleicestershire.org.uk](http://www.cpreleicestershire.org.uk)**

**Website version**

# **CPRE Leicestershire Responses to Leicester Local Plan Regulation 19 Consultation**

**Contained in this submission are CPRE Leicestershire's responses and report that relate to:**

1. Chapter 3 and the Vision
2. Policy SL01 (including attached report)
3. Policy SL03
4. Policy SL04
5. Paragraphs 4.3 to 4.6 (Strategic Growth Plan)
6. Chapter 6 (Paragraphs 6.1 to 6.7 and Policies CCFR01/02)
7. Policy T01 (and associated paragraphs)
8. Policy T02
9. Paragraph 16.59 (Strategic Growth Plan)
10. Policy T06
11. Policy DI01 (and paragraphs 18.2 to 18.10 And 16.59 to 16.62)

## Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Leicestershire**

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Leicestershire objects to Chapter 3 of the Leicester Local Plan as currently drafted. We do not believe it meets the tests of soundness because

- **Positively prepared** – fails to provide rounded view of the Vision and content of the Plan due lack of relevant detail,
- **Consistent with national policy** – based on a partial view of sustainable development that is inconsistent with NPPF para 8 point c) an environmental objective.

**This objection should be read in conjunction with our objections to Policies.....**

In support of this objection, we make the following observations:

1. From the way the Vision statement and the list of objectives are presented in this chapter, it is difficult to gain a clear view of what are the key priorities that the Plan addresses. These emerge to some degree in the individual chapters, but without an overall strategic perspective the way in which these different policies come together to address key issues could be clearer. For CPRE, this is

not just about presentation.

2. Turning to issues and priorities, for CPRE, the planning system, and in this context local plans, should have a crucial role in addressing the climate change and biodiversity crises. Addressing climate change and biodiversity need to be centre stage in the local plan alongside development requirements as a driver of where development should be located, how it is designed and how it is delivered.
3. That means addressing climate change through a strategic policy which links to all other policies and creates a concerted suite of policies where Climate Change mitigation becomes a key strategic priority for the plan. While the Plan contains policies on development, such as for the location of new housing, transportation, energy, design the link to climate mitigation and adaptation is opaque.
4. Moreover, the chapter dealing with Climate Change, while worthy in its aspirations, is limited to specific adaptations from design, construction and renewable energy not the spatial elements of development or transport links. As a result, it is problematical to understand how much the connections between the policies in terms of their specific impact on future climate change have been recognised.
5. Articulating climate change as a key strategic priority will help identify the conflicts and disconnects between policies that have been ignored, such as that between location of development, sustainable transport and cutting emissions.
6. In this chapter, the Vision itself does not refer to Climate Change. The goals of development and growth are centre stage, but any mention of Climate Change is relegated to the Objectives. Given the efforts of the Council to be active in addressing climate change, it is surprising that the Vision does refer to it. This should be rectified to produce a stronger Vision statement by adding the following words at the end of a new first paragraph as set out below:

#### The Vision

*A confident city with a reputation as a cosmopolitan, creative and academically rich place, which is successful in combating climate change and enhancing its natural environment and biodiversity.*

*A place in which businesses thrive and there is strong sustainable growth in housing, jobs and skills.*

A place where all people who live, work and enjoy the city feel proud to belong to our city and that our city belongs to them.

7. In para. 3.2, ten fairly broad and sweeping objectives are set out in a very matter of fact way. As a set of statements, their role appears to be to point to the topics covered in the following chapters, especially as in many of them there is no explicit reference back to the objective. To be judged as positively prepared the objectives should be accompanied by a brief analysis relating them to the strategic planning challenges faced by the City and its priorities in addressing them. The problem currently is the way they are not linked into the rest of the Plan. For instance, highlighting climate change as a strategic challenge and priority for action could lead to different objectives and policies being better related to each other and viewed as a suite of policies all contributing to tackling this cross cutting issue.
8. All this leads CPRE Leicestershire to the conclusion that this chapter needs a modification involving the introduction of a Strategic Climate Change Policy to precede Policy VL01. We consider that all development must be sustainable, not just to meet the economic and social objectives but also the environmental objective set out in para 8 of 2022 Version of the NPPF. This environmental sustainable development objective includes 'mitigating and adapting to climate change' as well as actions that reinforce pursuit of this objective. If policies and actions on climate change are to have impact and to be successful they have to make a measurable difference.
9. A Strategic Climate Change policy would bring the council in line with other new plans. For example, the Regulation 19 submission of the South Worcestershire Plan's first strategic policy (SWDP01) aims to do exactly that.
10. The text of that policy is attached to this objection. While there may be some differences of approach suitable to Leicester, we believe this provides a potential starting point for developing the wording of a new strategic Climate Change Policy.
11. This would then mean the local plan could concentrate its climate goals on three key areas:
  - Reduction of Carbon Emissions and achievement of Net Zero
  - Reduction of the impact of climate change on individuals, communities and society
  - Judging the success of climate change policies and actions.

Detailed policies and proposed actions to deliver that would then be embedded within the main part of the Local Plan.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As well as that policy we put forward two suggestions for modifications to the text of Chapter 3.

#### Paragraph 3.1

In connection with point 6 above, we suggest the following modification to the Vision :

#### The Vision

*A confident city with a reputation as a cosmopolitan, creative and academically rich place, which is successful in combating climate change and enhancing its natural environment and biodiversity.*

*A place in which businesses thrive and there is strong sustainable growth in housing, jobs and skills.*

*A place where all people who live, work and enjoy the city feel proud to belong to our city and that our city belongs to them*

#### Paragraph 3.4

In connection with points 11 above, we suggest the following modification by way of an introduction to a Strategic Climate Change Policy, with the following wording:

*“The Local Plan as an important role to play with regard to Climate Change and should:*

*a) Seek to reduce carbon emissions and achieve net-zero by*

- a reduction in emissions produced by homes, businesses and transport,*
- replacing fossil fuel energy supply with clean, renewable sources,*
- drawback carbon from the atmosphere into soils and water through measures such as hedgerow and woodland planting,*

- b) Seek to reduce the adverse impacts of climate change on individuals and communities through*
- the design and layout of developments and their individual buildings,*
  - buildings adapted to expected changes in Leicester's climate, including the prevention of over-heating,*
  - the improvement of air quality,*
  - increased provision of sustainable and active travel and transport facilities,*
  - greater resilience to the increased risk of flooding*
- c) Seek to judge and measure the success of individual policies and actions by*
- requiring all new developments to demonstrate a measurable reduction in net carbon emissions over the life of the development,*
  - requiring all transport interventions to demonstrate how they will deliver a reduction in private car mileage and an increase in the use of public transport and active travel routes.*

Example of Strategic Climate Change Policy Wording

Text of SWDPR1 in South Worcestershire Submission Plan

## **Strategic Policies**

### **SWDPR 01 Climate Change Mitigation and Adaptation**

**A. This strategic policy aims to ensure that all development minimises its environmental impact and is resilient to the consequences of climate change. The spatial development strategy includes a focus on delivering well-planned, sustainable new (and expanded settlements) which will provide a comprehensive range of local services and employment opportunities which can be readily accessed on foot, by bicycle and public transport. The development strategy also focuses growth towards the city, towns and larger (Category 1 – 3) settlements that can accommodate additional growth.**

**B. This strategic policy provides for priority to be given to minimising carbon emissions and the impacts and consequences of climate change in a holistic manner. Good planning be it the built and natural environment, the quality of design and its sustainability, the minimisation of waste, travel patterns and choice of transport, the use of energy and the generation of energy, delivers sustainable development which mitigates against and adapts to Climate Change.**

**C. To ensure that development contributes to the mitigation of, and adaptation to climate change, development proposals will be required to:**

- i. locate development to minimise the need to travel and design layouts and infrastructure to prioritise movement by foot, bicycle and on public transport; (see SWDPR 6)**
- ii. provide first phase electric vehicle charging infrastructure; (see SWDPR 6)**
- iii. contribute towards and support health and social wellbeing to meet the needs of current and future communities; (see SWDPR 10)**
- iv. provide Green Infrastructure to help mitigate against and adapt to the impacts of**

climate change, including carbon sequestration, water management and temperature extremes. Incorporate tree planting appropriate for climate change, soft landscaping, bio-diverse roofs, combination green and blue roofs and green / living walls where suitable; (see SWDPR 7, 37 and 45)

v. protect and safeguard existing green spaces and provide opportunities for community self-sufficiency e.g. through the provision of allotments, community orchards etc; (see SWDPR 45)

vi. deliver measurable net gains in biodiversity as well as protecting, restoring and enhancing habitats and ecological networks where appropriate; (see SWDPR 27)

vii. generate at least 20% of predicted energy requirements through renewable or low carbon energy measures; (see SWDPR 33)

viii. make the most effective and sustainable use of land; (see SWDPR 15)

ix. reduce the energy demand from new development in line with the principles of the energy hierarchy, considering the orientation, layout and design of development to maximise passive heating and cooling systems opportunities and implement a fabric first approach to construction and ultra-low energy consumption standards (e.g. Passivhaus); (see SWDPR 26)

x. ensure that the built performance of the development (e.g. energy use, carbon emissions, overheating risk etc) matches the design performance to minimise the potential performance gap between design aspiration and the completed development. A recognised performance gap / assured performance and monitoring tool should be implemented to achieve this; (see SWDPR 05)

xi. prioritise the use of sustainable construction techniques and materials that involve the lowest embodied carbon and minimise their ecological and carbon footprints. Major development should target <500 kgCO<sub>2</sub>e/m<sup>2</sup> upfront embodied carbon emissions; (see SWDPR 05).

xii. minimise the impact on and from all sources of flood risk; (see SWDPR 34)

xiii. incorporate less resource intensive drainage solutions; (see SWDPR 35)

xiv. incorporate water use management and conservation features; (see SWDPR 36)

xv. submit Air Quality Assessments to determine the likely impact of development on air quality and resulting mitigation measures; (see SWDPR 37) and

xvi. incorporate the latest communications infrastructure (see SWDPR 32).

D. All development will need to demonstrate the above requirements which may be incorporated into a Design and Access Statement. However, any development involving 10 or more residential units or 500 sqm or more of any additional floor space will furthermore be required to demonstrate this through the BREEAM or Home Quality Mark assessment process as required through policy SWDPR 26.

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?



**No**, I do not wish to participate in hearing session(s)

Yes: A representative of CPRE Leicestershire

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

CPRE is questioning an important element of the Plan document and setting out an alternative view

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Leicestershire**

3. To which part of the Local Plan does this representation relate?

Paragraph **4.10 – 4.11** Policy **SL01** Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

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CPRE Leicestershire objects to Policy SL01 as well as the associated paragraphs (particularly 4.10-4.11). We do not believe they meet the tests of soundness because

- **Positively prepared** - the plan does provide a strategy which is above the area’s objectively assessed needs, but the practical implications of its approach would not be consistent with achieving sustainable development;
- **Justified** - it is not an appropriate strategy, taking into account the reasonable alternatives, as set out in our housing report, and is not based on proportionate evidence, including the CENSUS and additional levels of supply;
- **Effective** - it is not clear the statement of common ground is justified given the evidence and should be rewritten; and
- **Consistent with national policy** - it does not enable the delivery of sustainable development in accordance with the policies in the NPPF, including because it results in significant house building to serve Leicester in unsustainable locations which will increase car-dependency, commuting and CO2 emissions, as well as damaging the countryside.

In support of our objection, we commissioned an independent report on housing which contains more detailed evidence which should be read alongside this objection (attached). It concluded that:

- a. The up-to-date evidence, including the 2021 CENSUS, would justify the adoption of a lower housing need figure, similar to the ONS2016 projections of 1289 dpa before the 35% uplift.
- b. There are a number of under-estimates of supply, including windfalls and densities, some of which are measurable while others are not.
- c. Assuming conservatively only the measurable supply increases were included, it would lead to an unmet need for housing of 5460 (including the 35% city uplift) or a surplus of 1756 (excluding the 35% city uplift).
- d. This would rise to an unmet need for housing of 6550 if the sites East of Ashton Green and North of the A46 were removed (including the 35% city uplift) or a reduced surplus of 666 (excluding the 35% city uplift).
- e. The impact on unmet need of those two sites is much less than the over-estimate from exaggerated housing need figures for the city.
- f. Since the level of unmet need in Charnwood is fixed at 78 dwellings per annum (dpa), (following the view of the Inspector's at that Examination) the highest figure 6550 would lead to a figure of 5303 for unmet need to be accounted for in other authorities or 331 dpa.
- g. Assuming unmet need was at that level, the Statement of Common Ground with other Leicestershire authorities would need to be reviewed to account for stronger sustainability criteria.

Such an approach would be consistent with the current requirement in the NPPG to justify lower housing figures based on up-to-date evidence.

*Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*

*Paragraph: 015 Reference ID: 2a-015-20190220*

It would also take into account the recent statements by the Government on Planning Reform, which have led to a review of the NPPF, and which included:

- removing the mandatory requirement to follow the Standard
- Methodology
- ensuring the 35% uplift is delivered in the authority where it derives,
- taking full account of constraints to additional housing

- and financial penalties to ensure developers build out sites

We note that several recent HEDNAs, including the Coventry and Warwickshire HEDNA (2022) have adopted a similar approach, in that case citing the CENSUS as a basis for their approach.

The following table sets out equivalent figures to Table 1 in the Plan as well as additional areas of uncertainty (which suggest our analysis of additional supply may still be conservative.) This would also include both the SM affordability uplift and the 35% city uplift, so would significantly exceed demographic need.

	Component	Dwelling	Uncertainty
A	Housing Need 2020-36 (Standard Method 2021 ONS2016, 35% uplift)	27840 (1740 dpa)	Subject to affordability changes and 35% addition arbitrary
	Housing Need 2020-36 (Standard Method 2021 ONS2016, no uplift)	20,624 (1289 dpa)	Subject to yearly affordability variation
B	Completions 2021	1,050	
C	Completions 2021-22	842	
D	Total Completions	1892	
	Previous Oversupply		Uncertain. No evidence provided.
E	Commitments detailed and outline permissions	9,410	11,623 (SHELAA)
F	Saved Previous Plan Allocations	0	
G	Windfall Allowance	2662 (242 dpa for 16 years)	Does not allow for larger windfalls
H	Allocations Identified in the draft plan	1230	May increase because of density policy
J	Central Development Area Capacity Work	6,286	Maximum in CDA study 7232 but does not include potential windfall sites
	Strategic Sites	1838	CPRE previously objected to allocations at East of Ashton Green (670 homes) and North of the A46 (420 homes) Total without them, 748
L	Total Anticipated Supply within the City	21,426	
M	Overall Supply (anticipated supply and completions) - D+L	21,426 + 1892 = 23,318	
	5% buffer, (excluding completions and windfall completions)	938	A 5% buffer seems reasonable but no evidence is given on lapse rates.

N	Local Plan Housing Target (5% buffer)	22,380	
O	Unmet Need	5,460	6550 (Without East of Ashton Green and North of the A46)
	Excess Need without 35% uplift	1,756	666 (Without East of Ashton Green and North of the A46)

As set out in our objection to SL03 and SL04 we do not support the allocation of those two strategic sites (East of Ashton Green and North of the A46).

However, we would not want the removal of those sites from the Plan to lead to calls by the Council for even worse and more unsustainable housing options in surrounding districts. So, this objection both supports our objection to SL03 and SL04 and is supported by them.

There may also be scope for some other smaller sites to be withdrawn if they prove to be unacceptable when tested against further sustainability criteria but CPRE has not considered every site in detail.

This would still theoretically leave some unmet need (up to 6550 homes). If that is still deemed necessary, an updated Statement of Common Ground would be required which might lead to a different distribution of development in other authorities who have yet to determine any need they will accept.

Since Table 1 is marked as 'subject to change' we acknowledge that the exact figures suggested in our objection may also vary.

**Please see below attached a copy of a report commissioned by CPRE Leicestershire:**

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

## Policy Wording

In terms of wording of policy much of this simply requires changes to the numbers in the plan and that will be a matter for further discussion through the Examination process.

However, we suggest the following or similar wording could introduce the Housing paragraphs of SL01:

*An overall housing need of XXX homes across the plan period has been identified for Leicester. This is lower than the Government's standard methodology but is justified with robust evidence, based on realistic assumptions of demographic growth, and there are exceptional local circumstances which justify this deviation*

We also suggest the following wording, or similar, could be used for Paragraph 4.10. Paragraph 4.11 is superfluous and can be deleted.

### *1. Housing - Chapter 5*

*4.10 The National Planning Policy Framework requires councils to calculate their local housing needs based on a standard methodology. However, for Leicester, there are exceptional local circumstances which justify a lower local housing need of XXX dwellings per annum (XXX homes over the plan period) which includes the 35% uplift for large cities. The local plan identifies a target of XXXX per annum. About XXXX homes will be delivered over the plan period, with the remaining housing need being apportioned in an updated the Statement of Common Ground (SoCG).*

### *Proposed Options for Meeting Housing need in the city*

*Prioritisation of new housing development on brownfield sites in the Central Development Area and attracting more people to live in the city centre*

*Delivery of housing on sites within the city (outside the Central Development Area) that are housing allocations in the Local Plan or that have current planning consents. This includes the completion of development at Ashton Green*

*Ensuring the efficient use of land and seeking to achieve higher densities in the right locations whilst ensuring a suitable mix and type of housing*

*Seek development of new strategic locations for housing - former Western Park Golf Course and land west of Anstey Lane*

*Remodelling and improvement of sites in existing residential areas to increase housing supply and create more balanced communities*

*To continue working on updating the current SoCG (June 2022) with authorities within the Housing Market Area (HMA) to agree the spatial distribution of housing need that cannot be met in the city in the context of revised estimates of 'unmet need'*

~~4.11 Even with these sites coming forward there will not be enough housing land in the city given its tightly drawn administrative boundaries and lack of developable and viable sites. The spatial distribution of the city's housing need that cannot be met, in addition to any other unmet need arising within the Housing Market Area (HMA) has been agreed in the Leicester & Leicestershire Statement of Common Ground on Housing and Employment Need (June 2022).~~

All suggested wording is intended to assist at this stage and is not definitive. Further discussion of exact wording may be appropriate at Examination.

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

 Yes, a representative of CPRE Leicestershire

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

CPRE is questioning an important element of the Plan document - policies SL01, SL03 and SL04 - and its position and argument should be heard at the Examination into the Plan as a particular viewpoint which differs from that of the Council.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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**Leicester Local Plan**

**Report for Leicestershire CPRE**

**Gerald Kells**

**February 2023**

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1. Introduction

I was asked to consider the level of housing need and supply in the Leicester Local Plan to support the comments made by CPRE Leicestershire in relation to the Regulation 19 Consultation on the plan

I was specifically asked to comment on both the level of housing needed and any resulting unmet need and on the implications of maintaining the Regulation 18 objection to the strategic sites East of Ashton Green and North of the A46 on those figures.

I previously supplied a report on the Regulation 18 stage of the plan. However, since then considerable new evidence has become available, including the 2021 CENSUS results.

The Leicester and Leicestershire Authorities have also published their latest Housing and Economic Development Assessment (HEDNA 2022) and my detailed assessment of that is appended to this report. Leicester has undertaken its own Local Housing Needs Assessment (LHNA) and I also consider that.

On the supply side an up-to-date Strategic Housing and Economic Land Availability Assessment (SHELAA) was published in October 2022, replacing the 2017 previous SHELAA, and a detailed report on residential capacity in the Central Development Area (CDA).



## 2. Key Points

- a. The up-to-date evidence would justify the adoption of a lower housing need figure, similar to the ONS2016 projections
- b. There are a number of under-estimates of supply, including windfalls and densities, some of which are measurable while others are not.
- c. Assuming conservatively only the measurable supply increase would lead to an unmet need for housing of 5460 (if one includes the 35% city uplift) or a surplus of 1756 (if one excludes the 35% city uplift).
- d. This would rise to an unmet need for housing of 6550 if the sites East of Ashton Green and North of the A46 were removed (if one includes the 35% city uplift) or a reduced surplus of 666 (if one excludes the 35% city uplift).
- e. the impact on unmet need of those two sites is much less than the over-estimate from exaggerated housing need figures for the city.
- f. The level of unmet need in Charnwood is fixed at 78 dwellings per annum (dpa), following the view of the Inspector's at that Examination. The highest figure 6550 would lead to a figure of 5303 for unmet need to be accounted for in other authorities, 331 dpa.
- g. Assuming unmet need was at that level, the Statement of Common Ground approach could also change to account for stronger sustainability criteria.

## 3. Level of Need

### a. Standard Methodology

The level of need assumed in the plan is based on the Standard Methodology (SM) calculation of housing need. This uses the 2014 Office for National Statistics (ONS2014) projections. It then adds an 'affordability uplift' (based on local 2021 affordability figures) and a further 35% which is added to the largest 20 UK cities purely to meet the Government's political target of 300,00 homes a year nationally.

The current SM figure is 2,464, (39,424 over the Plan Period (2020-2036) although as can be seen from Table 1 this is very significantly higher than the requirement using the more up to date 2016 and 2018 ONS figures.

Table 1: Leicester Need (Standard Methodology 2022-2032, 2021 Affordability)

	ONS 2014 (Uncapped)	ONS2014	ONS2016	ONS2018
Leicester	1815	<b>1792</b>	1289	967
Leicester +35%	2464	<b>2419</b>	1740	1305

\* Bold figures are capped at 40% above current Local Authority Plan figures

It is also significantly higher (7.5%) above the calculation using the affordability ratio from the previous year (2020). This shows the volatility of the SM calculation, especially as houses prices are predicted by many to fall in the coming year while inflation is leading to higher wage increases. The impact of the additional ‘need’ is also exacerbated when one considers its impact on any shortfall of housing.

Table 2: Change in Standard Methodology Output 2020-2021, Leicester

ONS2014	2020	2021	2021 Uncapped
Leicester	1697	<b>1792</b>	1815
Leicester +35%	2291	2419	2464

\* Bold figures are capped at 40% above current Local Authority Plan figures

Furthermore, the 2021 CENSUS evidence, albeit currently in interim form, supports the view that the level of housing need is exaggerated in the 2014 ONS2014 figures and that the substantially lower ONS2016 projections may represent a more accurate reflection of the current position, as set out in Table 3.

The ONS2014 projection amounts to an 8.14% increase in households above the CENSUS in 2021 which is over half the housing shortfall projected in the plan for Leicester up to 2036.

Table 3: Divergence of Household ONS projections from 2021 Census

	2014	2016	2018
Leicester	10367	-858	-2450

Table 4: % Divergence of Household ONS projections from 2021 Census

	2014	2016	2018
Leicester	8.14%	-0.67%	-1.92%

As I set out in my detailed report on housing need across Leicester and Leicestershire the overall picture across the county is that the ONS2014 figures still exaggerate the need, albeit this is tempered by the opposite effect in some of the smaller Leicestershire local authorities, particularly when using the ONS2018

figures, which tend to redistribute housing from large cities to rural areas, which appears to be partly as a result of shorter-term migration assumptions based on NHS registrations.

Table 5: Leicestershire Local Authority Need (Standard Methodology 2022-2032, 2021 Affordability)

	ONS2014	ONS2016	ONS2018
Blaby	341	407	<b>532</b>
Charnwood	<b>1148*</b>	981	<b>1148</b>
Harborough	534	555	702
Hinckley	472	539	<b>630</b>
Melton	231	133	175
NW Leicestershire	372	510	<b>673</b>
Oadby	188	131	114
Leicester	1815	1289	967
Leicester +35%	2464	1740	1305
Leicester and Leicestershire	5750	4996	5279

\* Bold figures are capped at 40% above current Local Authority Plan figures

#### b. Leicester and Leicestershire Housing and Economic Needs Assessment (2022)

The HENA considers in detail the housing and economic need across Leicester and Leicestershire including specific affordable housing needs.

I undertook a detailed report on the 2022 HENA for CPRE Leicestershire (see appendix below) which considered, among other things, housing across the county and concluded that:

- the assumed level of housing need is too high
- more housing can be provided on brownfield land in Leicester and other centres
- the unmet need from Leicester is exaggerated
- the approach to dealing with that unmet need is to create unsustainable urban extensions and new housing estates which would undermine urban regeneration, increase congestion and damage long-term climate change reduction goals.

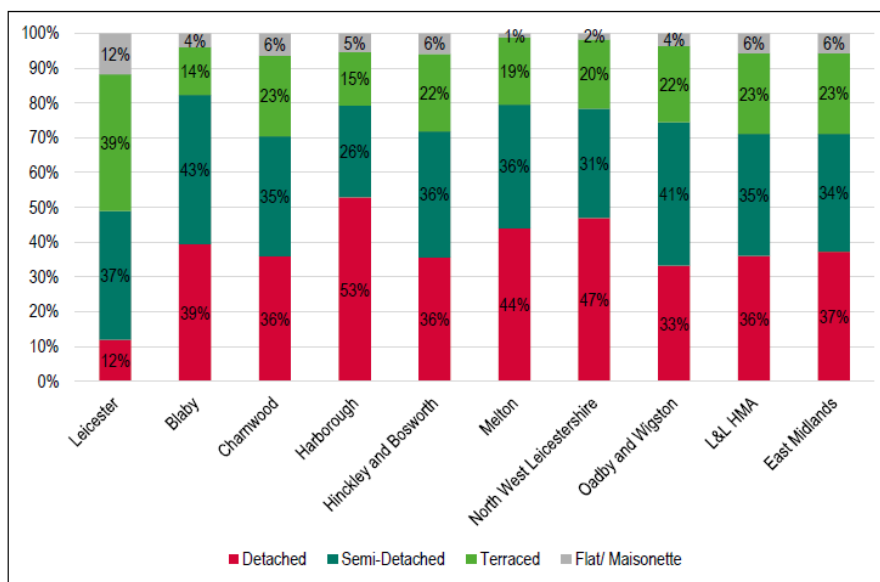
The figures in my report on the HENA are still up-to-date, except for my assumption then that the Leicester SM figure would be capped at 2419 (based on

using 40% above the local plan), Due to the age of the existing local plan it is now slightly higher at 2464, but that does not dramatically change my conclusions.

I would also note here that the HENA was written before the interim 2021 CENSUS household and population results became available. So, although it considers possible impacts of BREXIT and COVID it was based on evidence which predates the current inflationary pressures.

According to the HENA across the Leicestershire and Leicester Housing Market Area (HEMA) there has been strong house price growth since 2013, particularly in Leicester, Charnwood and Oadby. However, the housing sales mix is very different in Leicester to the rest of Leicestershire with many more smaller terraced houses (39%) and fewer larger detached houses (12%). (Figure 4.4)

Figure 4.4: Distribution of Sales by Type, Year to Sept 2020



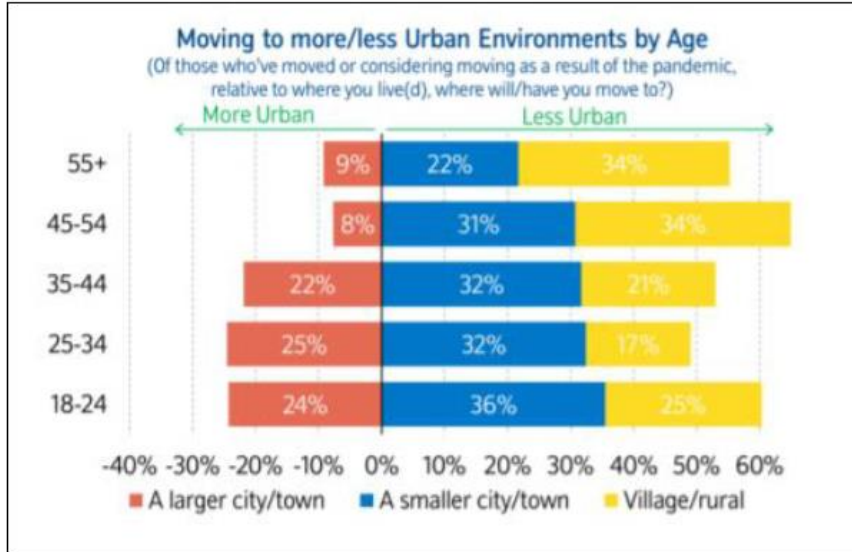
Source: Derived from ONS Small Area House Price Statistics Dataset 6

Sales volumes from 2014-2018 were down 20% on the pre-recession period, and Para 4.11 suggests a number of reasons, including longer mortgage periods, low interest rates and an aging population.

Help to buy has bolstered the market with 50% of new builds assisted by help to buy, mainly for first-time buyers (70% overall and 88% in Leicester).

Sales volumes grew in 2020 but this is currently mainly mortgage owners trading up (Para 4.17). The end of Help to Buy and post-COVID uncertainty mean the medium-term outlook is uncertain. Figure 4.8 shows a strong desire to move to less urban areas, which may well have been fuelled by the pandemic.

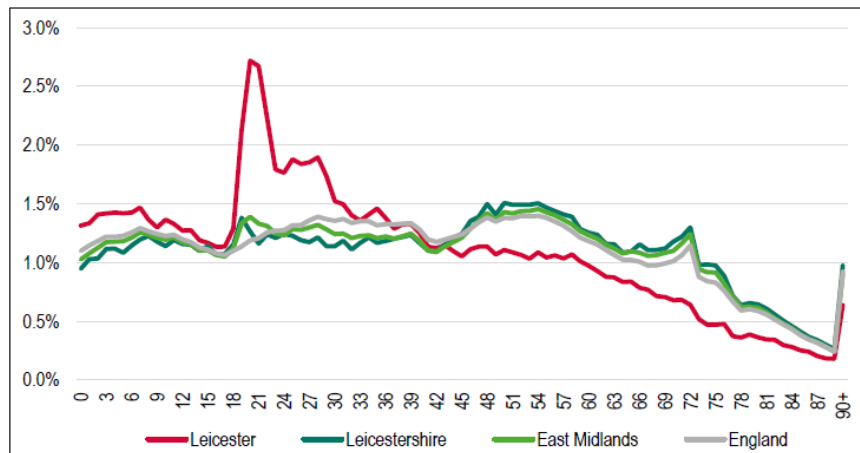
Figure 4.8: Preferences of those looking to move, Spring 2021



Source: Nationwide House Price Index Press Release, May 2021

In terms of demographic evidence, (albeit predating the CENSUS results) it is clearly apparent from Figure 5.2 is that Leicester has a very different demographic profile to the rest of Leicestershire with more young people and, in particular, a spike of population from 18-30 but less people over 45.

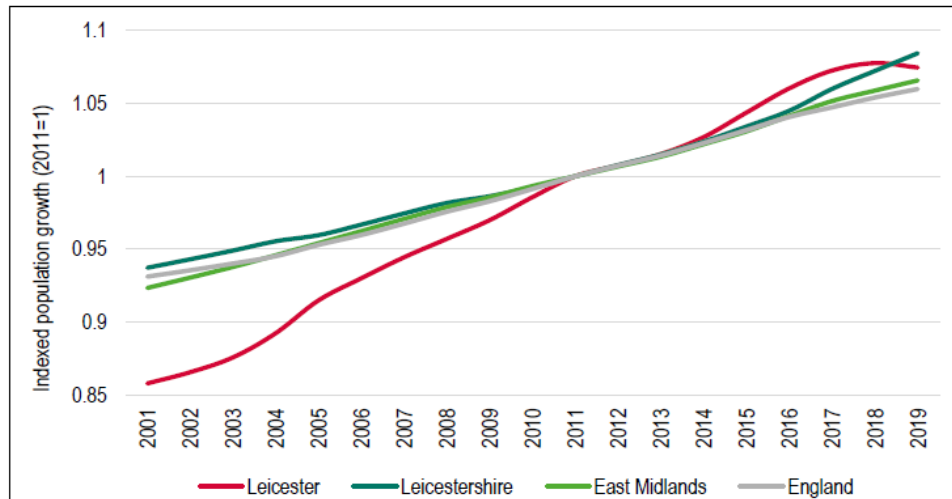
Figure 5.2: Population Age Profile, 2019



Source: ONS Mid-Year Population Estimates

The report suggests (using the ONS Mid-year estimates) that strong growth of population in Leicester going right back to the 2001 Census may result from undercounting at that point and notably the rest of Leicestershire has grown more in the last three years, as is demonstrated in Figure 5.4.

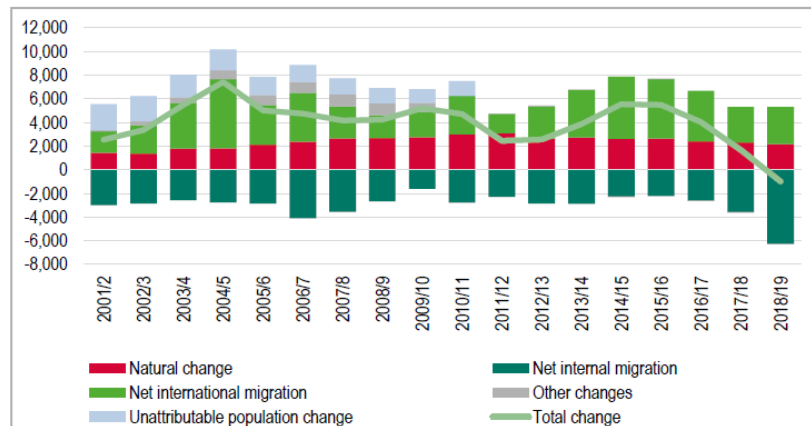
Figure 5.4: Indexed Population Growth, 2011-19



Source: ONS Mid-Year Population Estimates

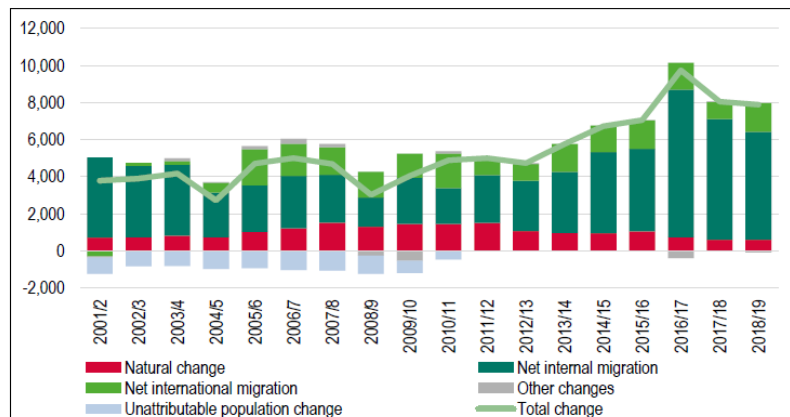
There has at the same time been considerable out-migration from Leicester mitigating the natural growth of population while in Leicestershire there has been higher inward migration as shown in Figure 5.7.

Figure 5.7: Components of Population Change, mid 2001-2019 – Leicester



Source: ONS Mid-Year Population Estimates

Figure 5.8: Components of Population Change, mid 2001-2019 – Leicestershire



Source: ONS Mid-Year Population Estimates

Notably the report compares the ONS’s Mid-Year Estimates with Patient Register Data which shows much higher registration in Leicester. The report is unclear why this might be but it would be consistent with concerns CPRE and others have raised in University Towns elsewhere about the impact of Student Patient Registration (as well as lack of de-registration) on population calculations.

The report compares the ONS2014 projections of population growth with the more up-to-date 2018 projections. These show lower growth in Leicester but higher growth in Leicestershire, although this is mitigated if one takes the ONS’s 2018 10-year migration variant (as the name implies) uses data about trends in migration over the past decade (2008-18), much longer than the main ONS 2018 projection.

**Table 5.11 Projected Population Growth (2020-2041) – Leicester**

	2020	2041	Change in population	% change
2018 (principal)	360,557	389,622	29,065	8.1%
2018 (alternative internal)	361,500	401,536	40,036	11.1%
2018 (10-year trend)	359,865	394,528	34,663	9.6%
2016-based	362,162	404,523	42,361	11.7%
2014-based	358,218	410,695	52,477	14.6%

Source: ONS

**Table 5.12 Projected Population Growth (2019-2041) – Leicestershire**

	2020	2041	Change in population	% change
2018 (principal)	715,117	850,255	135,138	18.9%
2018 (alternative internal)	711,526	820,237	108,711	15.3%
2018 (10-year trend)	708,254	784,515	76,261	10.8%
2016-based	700,527	787,455	86,928	12.4%
2014-based	697,889	791,808	93,919	13.5%

Source: ONS

The report suggests that the recent lower growth in Leicester and higher in Leicestershire reflects recessionary impacts and also relates to where housing has been delivered (Para 5.30). Housing delivery affects population, it says, as well as household size/structure (Para 5.35) but it concludes that the differences between ONS2014 and ONS2018 balances out across the whole area (Para 5.41).

To turn population figures into Households the report compares the household representative rate (which is the percentage of the population who are heads of a household) for the ONS2014 and ONS2018 results, the ONS2018 results suggesting less households.

They conclude that household growth has been suppressed, particularly in the 25-34 age group, and so the ONS2014 figures should be preferred as they are based on a longer time frame. This is, however something which CPRE has long challenged, believing that there may be structural changes to the housing market (such as

finance to purchase properties) which means that household growth rate will remain lower and there will not be a return to previous household growth.

The HENA also considered whether an uplift to housing is justified to meet Leicester and Leicestershire's economic needs. In the 2036 baseline case the Cambridge Econometric calculation suggests a need for 27,000 jobs, which equates to one third of the new jobs supported by Standard Methodology figure, so no additional need is considered to be required.

In Para 8.33 a Growth Scenario is then considered (up to 2041). The overall jobs figure is still below the Standard Methodology but, according to the HENA, Blaby, Melton and North West Leicestershire all under provide, so the HENA authors argue, could logically accommodate housing redistribution from Leicester. Each has a short-fall of housing and in the case of Blaby and North West Leicestershire it is greater if one aims for 1:1 commuting. The HENA considers there will be further issues post 2041-2050 in those authorities.

However, they temper their conclusions with a number of further comments in Para 8.36. They warn that the housing growth is not currently supported by any Growth Area status and say that there is no infrastructure currently planned that would elicit growth.

They also warn that the level of the SM is 21% above the previous HEDNA projections and also above past delivery (the additional 35% imposed for Leicester obviously contributes to this state of affairs). Lastly, in terms of affordable housing which they consider further, they warn that while the overall housing numbers would not form a good basis for assessing affordable need, the SM figures represents a 43% upward adjustment to actual household projections, so should contribute to meeting that need.

Alongside the HENA two further papers were produced which considered how the unmet needs arising in Leicester should be met, one on housing and one on economic development.

These feed into the 2022 Statement of Common Ground (SOCG) between Leicester and all the other Leicestershire authorities which apportions unmet Leicester need to the Leicestershire local authorities. I deal with this in more detail in my HENA report but it is important to reiterate that it is based on an Unmet Need of 18,700 in Leicester (or 1169 dwellings per annum (dpa)) up to 2036, and that relies on assumptions made in the SM calculations (above) as well as the level of supply in Leicester which I will consider further on in this report.

The HENA also was subject an Environmental Impact Assessment by AECOM which considers three alternatives, growth of a. 15,900 (based on earlier assessment of unmet need), growth of b. 20,000 and lower growth of c. 7,950. Again, its conclusions are ultimately dependent on assumptions about unmet need in Leicester.



### c. Leicester Housing Need Assessment (LHNA 2022)

Following on from the HENA and the Standard Methodology calculations, Leicester Council commissioned Opinion Research Services (ORS) to produce an assessment of their need in Leicester specifically, including affordable housing. The latest version was published in February 2022, with an updated addendum in September 2022 to take account of the latest SM figures, which the addendum acknowledges are substantially higher due to house prices rises (as opposed to an actual increase in need).

The September update refers to these as the ‘minimum Local Housing Need’. The report does not seek to establish whether there are exceptional reasons to adopt a lower figure (under the current national planning guidance (NPPG) let alone the changes proposed in the current NPPF consultation), even though the evidence both from the CENSUS and the most up to date ONS figures suggest that might well be the case.

This is in contrast to other recent assessments. The Birmingham HEDNA (2022), for example, has argued there is a case for the authority to adopt a lower figure and the HENA for South Warwickshire (2022) has suggested figures based on the CENSUS results.

The LHNA first sets out the needs for overall housing growth in Leicester and affordable housing, using ORS’s own model (based on the 2018ONS projections) in their Figure 9.

Figure 9: Components of average annual household growth 2020-36 (Source: ORS Housing Model. Note: Figures may not sum due to rounding)

	All households (annual average)	Households able to afford housing costs	Households unable to afford housing costs	% unable to afford housing costs
Newly forming households	4,019	2,673	1,345	33%
Households migrating in to the area	6,117	4,044	2,073	34%
<b>All new households</b>	<b>10,136</b>	<b>6,717</b>	<b>3,418</b>	<b>34%</b>
Household dissolutions following death	1,874	1,212	662	35%
Households migrating out of the area	7,266	4,731	2,536	35%
<b>All households no longer present</b>	<b>9,140</b>	<b>5,943</b>	<b>3,198</b>	<b>35%</b>
<b>Household growth</b>	<b>+955</b>	<b>+774</b>	<b>+221</b>	<b>22.2%</b>
Existing households falling into need	-	-937	+937	100%
Existing households climbing out of need	-	+832	-832	0%
<b>Change in existing households</b>	<b>-</b>	<b>-104</b>	<b>+104</b>	<b>-</b>
<b>Average annual future need for market and affordable housing 2020-36</b>	<b>+995</b>	<b>+670</b>	<b>+325</b>	<b>32.7%</b>

What is noticeable is that the need they project going forward is only 10,136 households, of which 3,418 are unable to afford housing costs so may need affordable housing provision. Of those 995 are not replacing existing households, of which 325 have an affordable need.

Figure 10: Assessing total net need for market and affordable housing (Source: ORS Housing Model. Note: Figures may not sum due to rounding)

	Market housing	Affordable housing	Overall Housing Need
<b>Unmet need for affordable housing in 2020 (see Figure 6)</b>			
Total unmet need for affordable housing (a)	-	7,069	7,069
Supply of housing vacated (b)	2,165	3,292	5,457
Current housing need (c) = (a) - (b)	-2,165	+3,777	+1,612
<b>Projected future housing need 2020-36 (see Figure 9)</b>			
Average annual housing need (d)	670	325	995
Future housing need (e) = (d) x 16	10,719	5,205	15,924
Total need for market and affordable housing (f) = (c) + (e)	+8,554	+8,982	+17,536
Average annual household growth (g) = (f) / 16	+535	+561	+1,096
Proportion of overall need for market and affordable housing	48.8%	51.2%	100%

This is then added to an existing affordable housing need of 5,205 households which creates a total need of 15,924, including both existing and future needs, although many will be replacing existing households.

They go on to consider right to buy and other factors and suggest that these could increase the affordable housing need to 15,500, (based on 400 dwellings per annum under right to buy). However, it should be noted that right to buy includes people who would otherwise seek market housing, so this suggests there is likely to be double-counting of need and a future housing need of 15,924 could still remain robust.

However, even allowing for the full right to buy adjustment, the need remains well below the SM output.

The LHNA goes on to consider how a figure of 16,789 dwellings projected to meet growth (which adds an allowance for vacancies) can be married to the much higher figure of 36,656 dwellings (the SM figure at the time of the LHNA’s production.) This, of course, making the evidence fit the decision rather than evidence-based approach.

Those additional ‘needs’ are split in the report between 14,534 for pent-up demand (see their diagram below). This is based on an assumption of an increase in the household formation rates in under 45s so that it progressively returns to where it was in 2001. A further 5,332 are then added for inward migration, although this does not seem to have any evidential base, it is purely a correcting figure to make the two numbers tally.



This seems to me highly problematic, firstly because the assumption that household formation rates will return to previous figures is conjectural (indeed the 2016 and 2018 ONS figures are precisely based on the assumption that they won't). Formation rates will partly be determined by the wider fiscal landscape and structural changes to the housing market but also by societal changes.

There is also a particular problem in Leicester about how household formation is calculated because there is a high proportion of students. Studies elsewhere have shown that students can skew population and housing outputs, especially where they do not deregister with GPs and so create 'phantom' populations. At the same time the plan includes an aspiration for more dedicated student housing which would then free up existing stock.

The second reason it is problematic is that the inward migration is purely theoretical, and quite simply cannot exist, if the alleged shortfall of housing is not met in Leicester but in surrounding districts.

The LHNA goes on to allocate the additional Leicester 'need', to create a proportion of additional affordable need (something then updated in the Addendum.) Those percentages, however, are only based on the assumptions behind those additional households, not any substantial evidence on need.

#### d. Government Policy

A further complication in terms of the level of need is that the Government is committed to reforming the planning system in response to criticism that exaggerated housing need is having an adverse impact. Most significantly, changes to the NPPF have been outlined by Michael Gove, Secretary of State for Levelling Up, Housing and Communities.

This began with a letter to Conservative MPs on 5 December 2022 which included four key elements which would potentially impact on the housing need in Leicester and Leicestershire more widely:

- I. He made clear that the calculation of housing numbers should no longer be considered mandatory but an advisory starting point. And that it will be up to local authorities, working with their communities, to determine how many homes can actually be built, taking into account what should be protected in each area. He specifically identifies Green Belt, National Parks, the Character of an Area, or Heritage Assets as constraints.
- II. He would instruct the Planning Inspectorate that they should no longer override sensible local decision making, which is sensitive to and reflects local constraints and concerns, rebalancing of the relationship between local councils and the Planning Inspectorate. The following will have to be taken into account: genuine constraints such as

national parks, heritage restrictions, and areas of high flood risk, Green Belt and the Character of an Area.

- III. He would consult on a new approach to accelerating the speed at which permissions are built out, specifically on a new financial penalty.
- IV. He would expect the largest cities to meet their 35% uplift within their own area and not off-load them to surrounding areas.

This was followed up with a consultation, currently on-going, to changes to the NPPF which will close on 2 March 2023.

The most important paragraphs in this context are Paras 60-61 which in the consultation draft read as follows (changed text in purple):

*60. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much housing need as possible with an appropriate mix of housing types to meet the needs of communities.*

*61: To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area (see paragraph 67 below). There may be exceptional circumstances relating to the particular characteristics of an authority which justify an alternative approach to assessing housing need; in which case the alternative used which should also reflect current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.*

*Para 62: The Standard Method incorporates an uplift for those urban local authorities in the top 20 most populated cities and urban centres. This uplift should be accommodated within those cities and urban centres themselves unless it would conflict with the policies in this Framework and legal obligations.*

In the associated explanation to the consultation the Government is clear why it is changing the approach to housing numbers saying:

*These changes are designed to support local authorities to set local housing requirements that respond to demographic and affordability pressures while being realistic given local constraints.*

The consultation does not change the SM approach, or the use of the ONS2014 figures, although the note does go on to say:

*However, we will review the implications on the standard method of new household projections data based on the 2021 Census, which is due to be published in 2024.*

While this is a consultation, it does lend weight (along with the statements by Michael Gove) to the existing caveat in NPPG allowing local authorities to adopt lower housing requirements and justify them at Examination and, importantly, would suggest Leicester would be justified in proposing an alternative approach, because of the evidence of the CENSUS and their own (ORS) assessment of demographic trends.

This would substantially reduce the overall need, since even with the 35% uplift, the annual need would reduce to 1740 using the ONS2016 figures, as set out above.

#### 4. Supply

The assumed level of supply is set out in Table 1 on Pages 49-50 of the local plan. It goes on to explain in Para 5.13 that in the early years of the plan these would be provided from existing sites.

	Component	Dwellings
A	Housing Need 2020-36 (Standard Method 2021)	39,424 (2,464 dwellings per annum)
B	Completions 2020-21	1,050
C	Completions 2021-22	842
D	Total completions 2020-22 (B + C)	1,892
<b>Commitments</b>		
E	Commitments: detailed and outline permissions	9,410
F	Saved previous Local Plan allocations	0
G	Windfall allowance	2,354 (214 dpa for 11 years)
H	Allocations identified in the draft plan	1,230
J	Central Development Area capacity work	6,286
K	Strategic sites	1,838

	Component	Dwellings
L	Total anticipated supply within the city	21,118
M	Overall supply (anticipated supply + completions) – D + L	21,118 + 1892 = 23,010
N	Local Plan Housing Target (2020-36) (Approximate 11% buffer)	20,730
O	Unmet need	18,694

There is no allowance for any previous over-supply which is something the consultation NPPF says local authorities should consider, and I have not considered whether that is relevant to Leicester.

These figures are supported, according to Para 5.1, by the 2022 SHELAA and the Central Development Area Residential Assessment. Unfortunately, the figures given in both those documents do not tally with the Plan. In the case of the 2022 SHELAA, I am told by Leicester's Officers the discrepancy is because the Plan was based on earlier figures than the SHELAA. In the case of the CDA document it came about because some sites have been re-assessed which reduces the supply in the Plan.

There is no additional evidence base explaining these discrepancies, which I address, among other things in this report, so it is hard to be certain how these impact on the reliability of the figures in the Plan.

a. Strategic Housing and Economic Land Availability Assessment (2022)

The SHELAA (published in November 2022) provides a list of existing sites with planning permission and their theoretical capacity from September 2022, along with sites that have been rejected.

A number of assumptions are behind this which it is worth considering.

Firstly, only sites which can accommodate 5 or more homes are included.

*Capacity of Sites*

Secondly, those sites are assumed to have a net developable area, based on standardised figures (excluding any red constrained land). It is unclear whether any leeway was allowed for sites where the developable area might be higher.

A 'cautious' density of 30 dwellings per hectare (dph, para 4.2.4). I am assuming this is only applied where the site does not already have a housing total.

That density assumption was raised following a developer's forum to 35 dph, for the purposes of the plan, but not, it appears for the SHELAA assessment. This would suggest there is some additional capacity on sites in the SHELAA assessment which is unaccounted for.

Furthermore, Policy Ho05 includes a higher density of 75dph for developments in the Central Development Area. It is unclear whether any other areas were considered where higher densities are likely to be achieved, for example, other centres or locations on public transport links.

## *Policy Ho05. Housing Densities*

*The city council will support proposals that reflect the existing character of the areas, as well as which meet the locally identified needs of the city. The following density targets will be expected to be met:*

*Central Development Area - minimum of 75 dwellings per hectare  
Rest of the city - minimum of 35 dwellings per hectare*

Once this exercise is complete the SHELAA considers both achievability and availability of sites before including them in the list.

Para 4.6.1 of the SHELAA summarises the supply tables. It says:

*155 sites were found to be achievable with different timescales within the Plan period (Appendix A). Total Capacity: 8590*

*About 168 sites are the permissions (there may be an element of double counting with these sites, and so these have been shown separately in the appendix (Appendix B). Total Capacity: 11,623*

*371 sites were not considered to be achievable / deliverable / developable based on the assessment as explained above. These sites were discounted (Appendix C). Total Capacity: 12,370*

*212 sites are considered achievable / deliverable / developable on previously developed land. These sites may also be a part of other databases, and so the element of double counting must be noted.*

*Also, it must be noted that the council is yet to update the Brownfield Land Register, which will be published in due course (Appendix D). Total Capacity: 20,542*

What is unclear is why the total for sites with planning permission, all of which are deemed available in the supply table, do not tally with the 9,410 given for permissions in the Plan's table. If this was simply due to the date of compilation it would still seem a large discrepancy (2,213).

A significant number of sites are discounted (12,370), some of which have already been built out, but many of which are sites which are not currently available, including a significant number where the landowner has not confirmed availability. Some of those sites, therefore, may become available within the plan period.

A further 377 Sites are discounted as being below the SHELAA threshold which supports a healthy future windfall situation.

Unfortunately, the proformas for each site are not provided which makes it harder to assess where there may be significant additional supply and where sites are very unlikely to be developed.

## Windfalls

The SHELAA also provides an estimate of future windfalls (sites which come forward on unallocated sites). It bases this on past monitoring of small windfall completions. Unlike some studies it only goes back to 2015/26. This avoids counting earlier years where recessions led to very low windfall rates. The average is 214. What is, however, striking is that 2020/21 and 2021/22 are outlier years, which is hardly surprising given the impact of the COVID pandemic. If one removes them the average is 242, so one might consider that a better representation moving forwards.

Figure 3: Past windfall completions

Year	Completions on small sites
2015/16	202
2016/17	214
2017/18	313
2018/19	236
2019/20	247
2020/21	183
2021/22	100
Total	1,495
Average	214

Source: Leicester City Council internal monitoring

Furthermore, this does not account for larger windfalls. One might suggest that some of these will come forward in the Central Development Area study Area. However, that is clearly not the only area of Leicester where larger windfalls might occur. Indeed, the list of discounted sites may well include some additional future windfall sites.

There is, however, no evidence presented on historic large windfall delivery which might have informed the supply side, even though the NPPF does not actually distinguish between the size of windfalls, where evidence is robust.

### *Central Development Area Report*

The other key document in terms of supply is the Central Development area residential capacity report. This sought to assess additional supply within five defined areas of central Leicester.



This is based on known sites (for example in the SHLEAA) and sites with planning permission, as well as future potential sites, for example, where the current usage is deemed incompatible with the city centre vision, where there are strategic future allocations or where an unallocated site is in an area with a regeneration strategy.

This latter category is not assumed to be available during the plan period. However, clearly, these may be sites that come forwards as large windfalls, which lends weight to the argument for including a large windfall allowance.

The study considers the known sites in more detail, calculating the capacity based on minimum, average and maximum density and the plan adopts a figure of 6286, slightly lower than the average figure of 6636, although I understand this is based on further refinements, although that work is not published.

### City Capacity Summary

Area	Known Sites No. Homes at Min. Density	Known Sites No. Homes at Max. Density	Known Sites Avg. No. Homes	Planning Applications proposed no. units	Total Capacity avg. no. of homes and planning apps
Area 1	1586	2438	2126	1233	3359
Area 2	711	1005	950	2813	3763
Area 3	1086	1757	1646	1990	3636
Area 4	1488	1949	1834	999	2833
Area 5	67	93	80	1322	1402
Total Units	4938	7242	6636	8357	14993

As a result, this is lower than the maximum by just under 1,000 dwellings.

### Buffer

The last issue I identified in relation to supply is the assumed buffer of 11% which then leads to an overall capacity of 20,730 rather than 23,010. It is not clear why such a large buffer is needed (over the whole plan period rather than for the five-year supply). There is no evidence given on the level of lapsed planning applications.

Moreover, the buffer is applied to the whole supply, including completions which by definition do not need a buffer and windfalls which are based on completions rather than permissions.) If one excludes those two sources the actual buffer is 2280/18764 or 12%. A 5% buffer would amount to 938 dwellings and the total supply would then be 23010 - 938 = 22,072.

It should also be noted the buffer is not included in the trajectory in Appendix 1 of the plan.

## 5. Conclusions on Need and Supply

The table below sets out housing need figures based on the ONS2016 projections. These seem to be a reasonable fit given the 2021 CENSUS data. It then considers area where there is additional supply, as well as identifying area of uncertainty.

	Component	Dwelling	Uncertainty
A	Housing Need 2020-36 (Standard Method 2021 ONS2016, 35% uplift)	27840 (1740 dpa)	Subject to affordability changes and 35% addition which is arbitrary.
	Housing Need 2020-36 (Standard Method 2021 ONS2016, no uplift)	20,624 (1289 dpa)	
B	Completions 2021	1,050	
C	Completions 2021-22	842	
D	Total Completions	1892	
	Previous Oversupply		Uncertain. No evidence provided.
E	Commitments detailed and outline permissions	9,410	11,623 (SHELAA)
F	Saved Previous Plan Allocations	0	
G	Windfall Allowance	2662 (242 dpa for 16 years)	Does not allow for larger windfalls
H	Allocations Identified in the draft plan	1230	May increase because of density policy
J	Central Development Area Capacity Work	6,286	Maximum in CDA study 7232 but does not include potential windfall sites
	Strategic Sites	1838	CPRE previously objected to allocations at East of Ashton Green (670 homes) and North of the A46 (420 homes) Total without them, 748
L	Total Anticipated Supply within the City	21,426	
M	Overall Supply (anticipated supply and completions) - D+L	21,426 + 1892 = 23,318	
	5% buffer, (excluding completions and windfall completions)	938	A 5% buffer seems reasonable but no evidence is given on lapse rates.
N	Local Plan Housing Target (5% buffer)	22,380	
O	Unmet Need	5,460	6550 (Without East of Ashton Green and North of the A46)
	Excess Need without 35% uplift	1,756	666 (Without East of Ashton Green and North of the A46)

Clearly a dynamic city, such as Leicester, is going to see changes up to 2036 which cannot be foreseen so these may be conservative.

It also includes figures without the two strategic sites CPRE objected to. While their exclusion would reduce supply in Leicester and could lead to increased development in other parts of Leicestershire, my analysis suggests the exaggeration of housing need is a far bigger component in the ‘unmet need’.

## 6. Implications for Statement of Common Ground (2022)

The Statement of Common Ground (SoCG) between Leicester and the Leicestershire Authorities was updated in June 2022 and gives an unmet need figure in Leicester of 18,700, almost identical to the plan. Para 3.20 of the SoCG acknowledges that this figure may change over the course of the plan preparation.

The SoCG figure of 78 dpa for Charnwood was accepted at the Charnwood Public Examination and amounts to 1248 dwellings over the plan period.

If one were to assume an unmet need of 6,550, this would leave 5,302 homes to be distributed to the other Leicestershire local authorities (or 331 dpa).

The apportionment of the currently assumed need is set out in Table 3 of the SoCG.

Table 3: Apportionment of Leicester City’s Unmet Local Housing Need 2020 to 2036

Local Planning Authority	Average Annual unmet housing need contribution 2020 to 2036 (dwellings)*
Blaby District Council	346
Charnwood Borough Council	78
Harborough District Council	123
Hinckley and Bosworth Borough Council	187
Melton Borough Council	69
North West Leicestershire District Council	314
Oadby and Wigston Borough Council	52
Total	1,169

\*Note: the figures are presented as annual averages 2020-36. This does not imply that an authority’s unmet need apportionment must be phased evenly over this period. It will be for each Local Plan to determine appropriate phasing.

Of course, it cannot be assumed that the unmet need would be similarly apportioned if it was lower, as I suggest, because that may not be the most

sustainable option (even assuming the planning regulations at the time required such an approach,) I have not, therefore, suggested a similar division of the lower unmet need, although it could clearly be calculated from the figures given.

**Leicester and Leicestershire Housing and Economic Needs  
Assessment (HENA)  
Associated Distribution Reports**

**Report for Leicestershire CPRE (draft 2)**

**Gerald Kells**

**29 Sept - 5 Oct 2022**

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1. Introduction

I was asked to review the Leicester and Leicestershire Housing and Economic Needs Assessment (2022) for Leicestershire CPRE, along with the associated Housing and Economic Distribution Papers, which feed into the subsequent Statement of Common Ground by the Leicester and Leicestershire Authorities on Housing and Employment land (June 2022). I have also considered the main outputs of the Sustainability Appraisal has been published at the same time.

I have also provided Leicestershire CPRE with an updated EXCEL table of calculations for the Standard Methodology (SM) Housing Numbers, as well as a comparison of ONS projections with data from the 2021 CENSUS. The results are represented as bar graphs in this report but Appendix 1 includes data tables for the various outputs.

It is important to add the caveat that as yet the CENSUS data is considered interim. It was also undertaken during the COVID pandemic so some elements of population may be distorted by lockdown.

This report is in six sections:

1. Introduction
2. SM results
3. HENA Report
4. Distribution issues in terms of housing and employment land
5. HENA Sustainability Appraisal
6. Conclusions and a commentary

While there is a lot of material it does not, in my view, undermine the reasonableness of the arguments CPRE Leicestershire is making. In particular:

- the assumed level of housing need is too high
- more housing can be provided on brownfield land in Leicester and other centres
- the unmet need from Leicester is exaggerated
- the approach to dealing with that unmet need is to create unsustainable urban extensions and new housing estates which would undermine urban regeneration, increase congestion and damage long-term climate change reduction goals.

## 2. Standard Methodology Results

The standard methodology is the way local authorities are required to calculate their housing need.

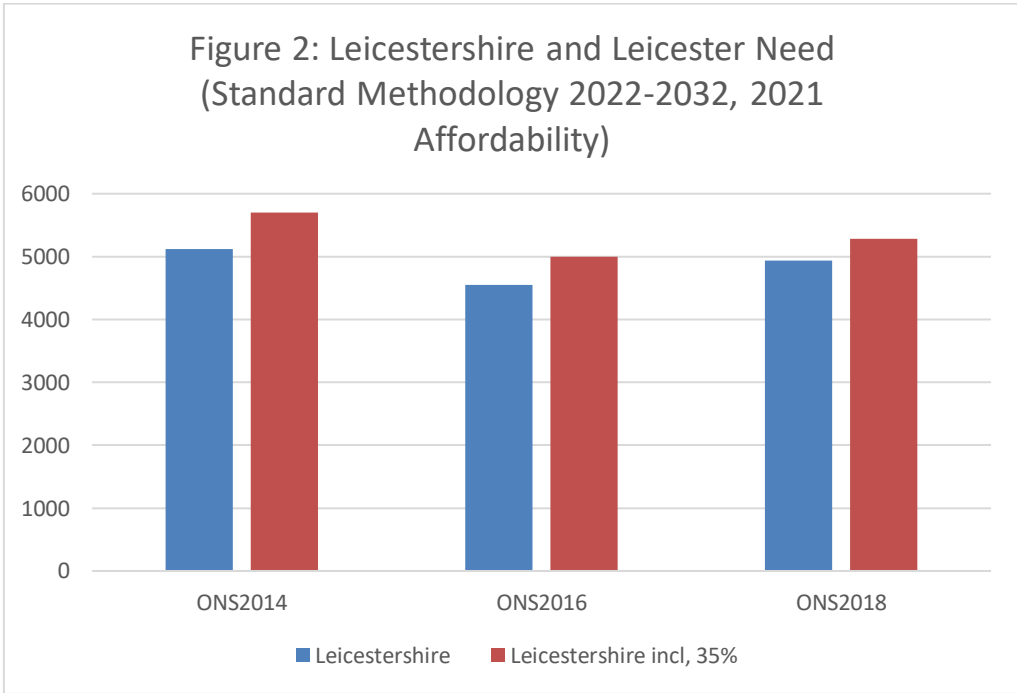
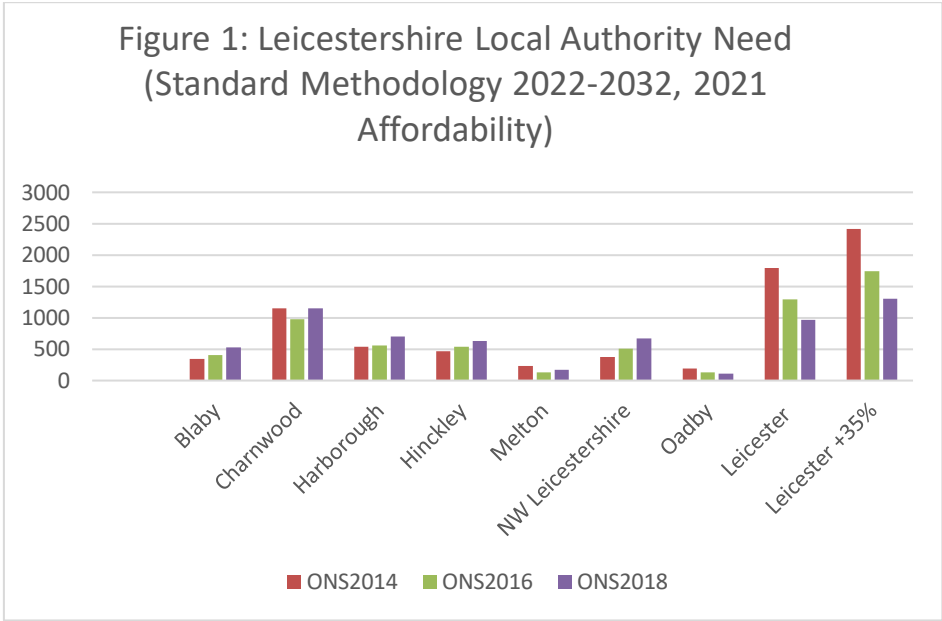
It takes an average annual ten-year increase in population in a local authority (as projected in the Office for National Statistics (ONS) 2014 household projections). It then adds on an 'affordability factor', based on annual affordability rates. That figure is then capped to a 40% increase on the current local plan housing requirement.

In the case of the largest twenty cities (including Leicester) a further 35% is added on. This is purely to meet the Government's 300,000 a year target.

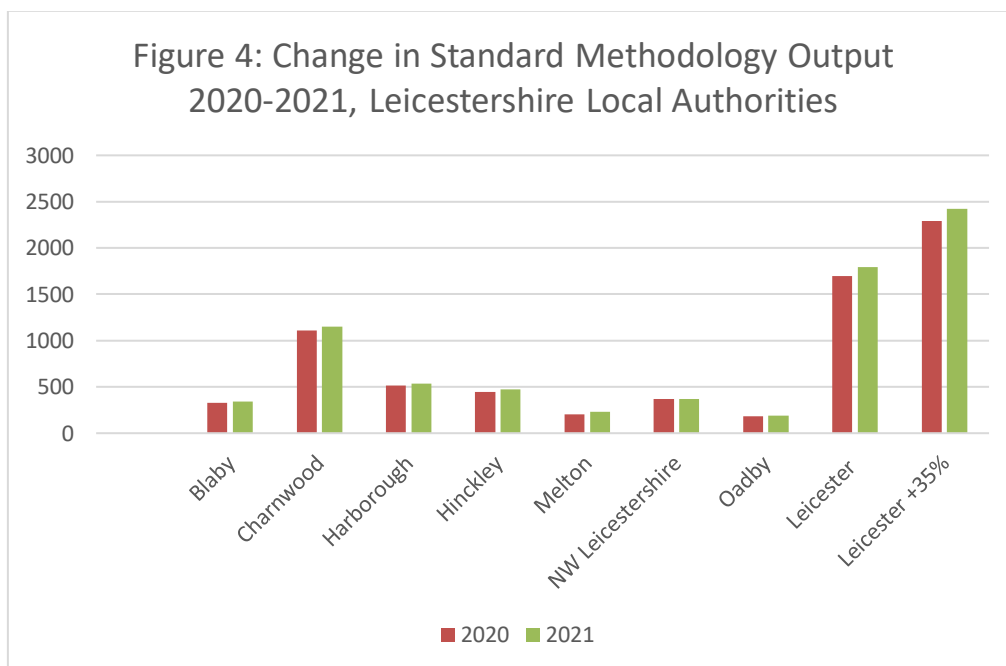
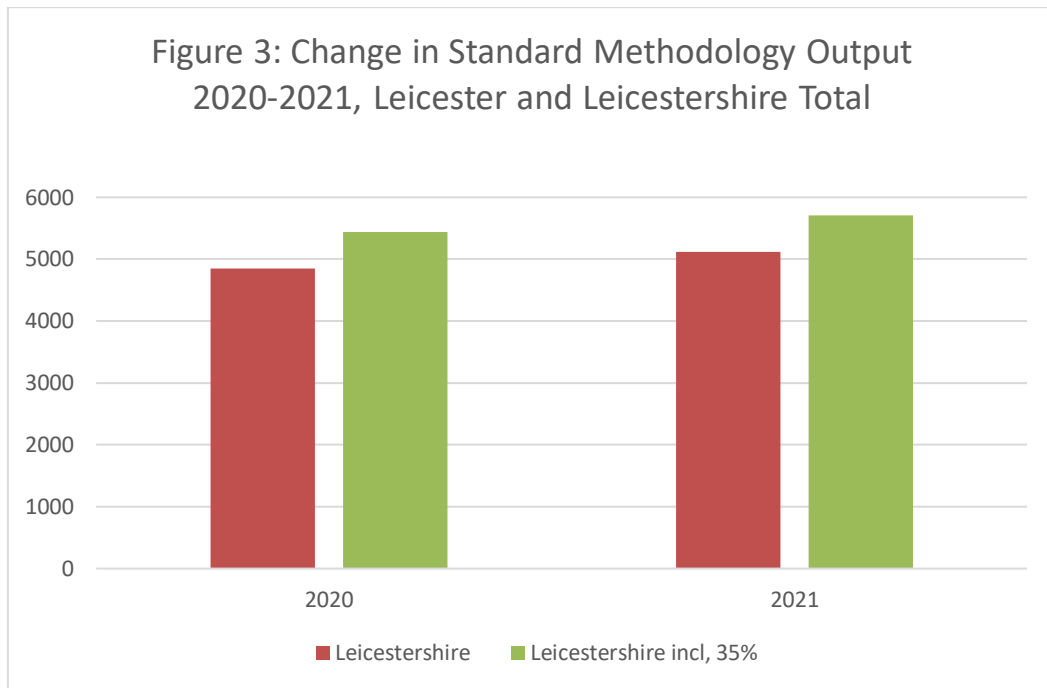
Figures 1 and 2 show the results for Leicester and Leicestershire Authorities and compares them with the more up to date ONS2016 and ONS2018 which assume lower household growth across England (although the 2018 also redistributes housing which increases overall housing need in the county<sup>1</sup>).

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<sup>1</sup> A variant of the 2018 projections including a longer internal migration time frame is also referred to in the HENA which relies on longer internal migration data which I refer to later.



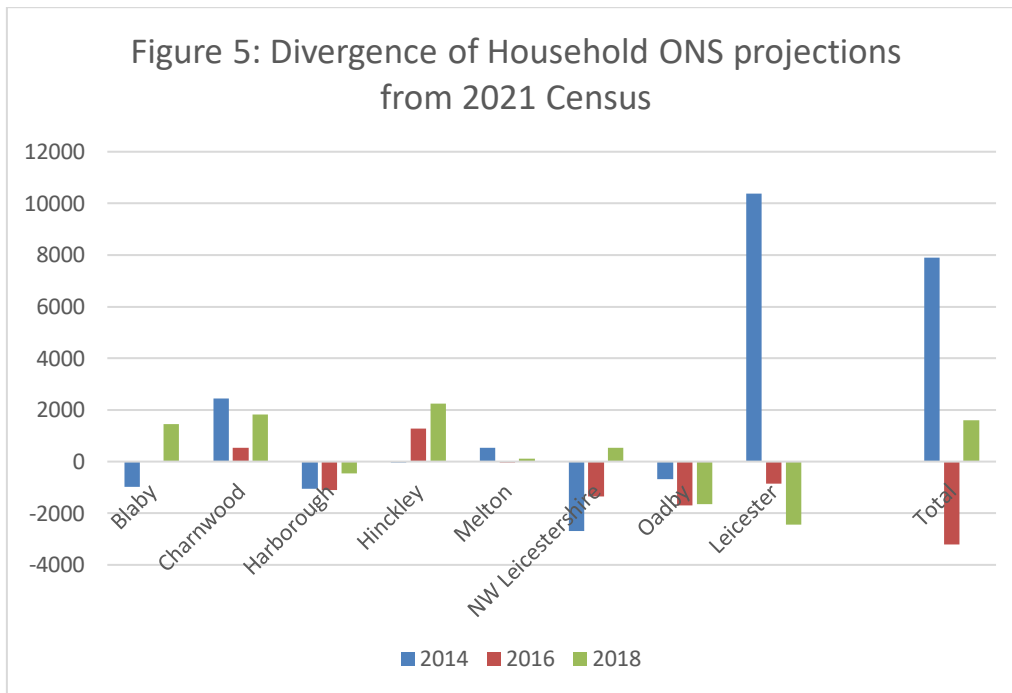
It should also be noted that, while the affordability element of the calculation is not the major part, it is subject to annual fluctuation and can lead to significant annual changes in SM calculation. As a result, the 2021 based affordability results lead to a significantly higher SM result in many authorities although this does not reflect any additional need. The difference between 2020 and 2021 SM calculations is shown in Figure 3 and 4.



However, comparison with the Census suggests the ONS2014 figures exaggerate the number of households in 2021 across the County, and particularly in Leicester where households match the ONS2016 and 2018 figures much better.

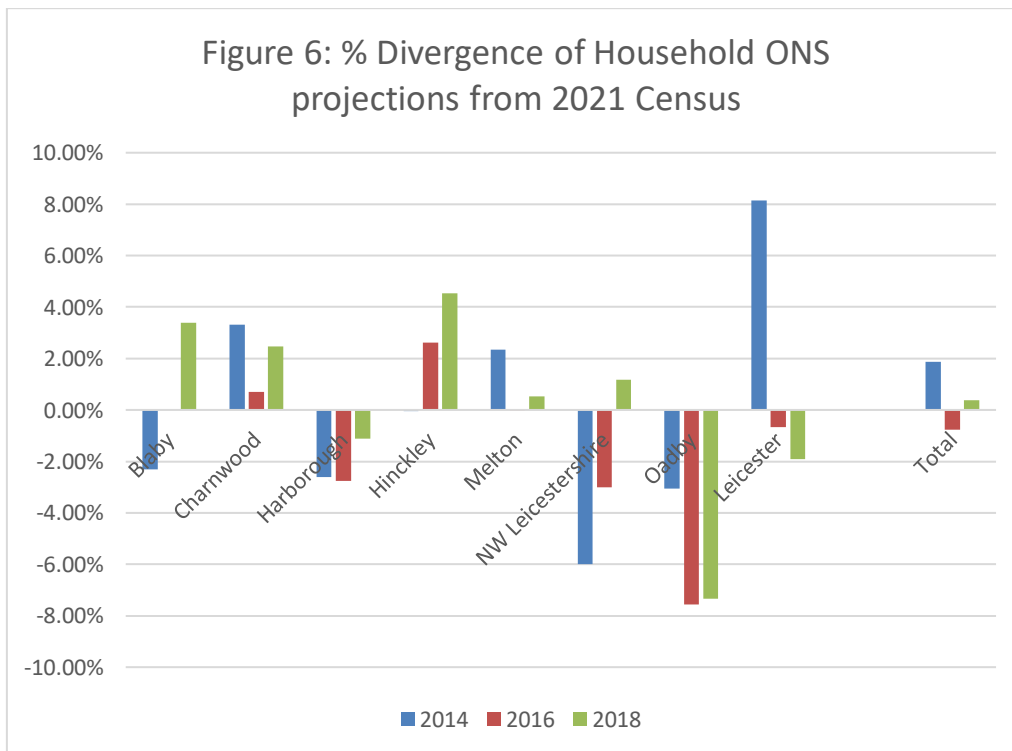
Figure 5 shows the difference between the ONS figures and the Census. For example, in Leicester there are 127,400 households in the Census but 137,767 in the ONS2014 figures for 2021, a difference of 10,367.





In some Authorities the ONS2014 figures are actually lower than the Census (below the vertical line in the graphs), but, particularly because of the large discrepancy in Leicester the overall total (for Leicester and Leicestershire) is higher than the Census. This puts into question the large assumed 'unmet need' from Leicester which I discuss further on.

Figure 6 shows the same divergence as a percentage of the CENSUS figure so takes account of the different size of population in each authority.



All the Figures in this section are set out as tables in Appendix 1.

### 3. Leicester and Leicestershire Housing and Economic Needs Assessment (2022)

The purpose of the Leicester and Leicestershire HENA is to examine the economic and housing needs of the county and consider the need for employment land and whether additional housing should be provided above the SM calculations, as well as suggesting the need for different types of housing.

It is split into three parts.

1. Economic and Property Market Dynamics
2. Future Development Needs
3. Needs for Different types of Homes.

This HENA updates the Housing and Economic Development Needs Assessment (HEDNA) of 2017.

It was written before the interim 2021 CENSUS household and population results became available. So, although it considers possible impacts of BREXIT and COVID it was based on evidence which predates the current inflationary pressures.

The aims of the HENA, as set out in Para 1.5, are to consider the future economy, employment land needs and housing needs as well as considering potential impacts of Brexit and Covid.

Importantly, they define Leicester and Leicestershire Housing Market Area as centred on Leicester, while acknowledging that some peripheral areas relate to other HEMAs. They consider that the Functional Economic Market Area covers all of Leicestershire but more widely for logistics, where they define a 'Golden Triangle' of 21 authorities which stretches from Milton Keynes and over to Birmingham, based on a 4.5-hour drive time to most UK major population centres.

It is worth also noting that while the HENA considers Housing and Employment Land Needs that only relates to logistics developments up to 9,000 sqm, which does not include the large logistics proposals that CPRE has been concerned about. Those were considered in the Leicester and Leicestershire Strategic Distribution Study, something CPRE has criticised elsewhere, particularly in connection with the 2022 North West Leicestershire Plan Consultation and the level of large-scale road-based logistics needed especially in the light of that included in the Hinckley Rail Freight Terminal proposal.

It is also worth noting that the HENA gives figures up to 2036, 2041 and 2050. The latter date is in line with the 2017 Strategic Growth Plan (SGP). In comments on the SGP, CPRE was highly critical then of the speculative nature of projections so far ahead, both because of uncertainty and because some projections, such as household growth, tail off in the later period. I think that criticism is likely to still

be valid of the longer-term HENA calculations to 2050 which are beyond any current plan making time scale.

It is not possible in this short report to reproduce all the detail of the HENA so I have sought to pick out some of the most salient points for CPRE to consider.

#### *a. Economic and Property Market*

Section 2 considers the general economic situation. The County's Gross Value Added (GVA) is just above national average. Manufacturing is the largest contributor followed by logistics, but the manufacturing contribution is falling while services are growing.

Leicester City has the greatest GVA (1/3 of the total) followed by Charnwood, Blaby and Harborough. Strongest growth is in Leicester, North West Leicester and Blaby. Blaby and North West Leicestershire also see the highest productivity growth, partly reflecting the strength of the M1 Corridor.

Manufacturing and distribution are strong because of Leicestershire's central location, as well as a strong role played by the Universities.

One concern that the HENA points to is low graduate retention (26.9% as opposed to 48.4% nationally) which they say is due to SME concentration, but it is suggested a growth in home working could improve this.

In terms of the Labour Market there is a higher economic activity rate in Leicestershire than nationally but lower in Leicester, (at least partly due to its student population). Leicester's claimant rate is 3.1%, higher than the national average, but elsewhere the rate is lower. In terms of the top three occupational groups, (Managers, directors and senior officials, Professional occupations, Associate professional and Technical occupations) most districts are above the national and regional average, although Leicester is significantly below, suggesting in-commuting of high earners.

The report considers the impact of COVID (Para 2.52). They refer to Office for Budget Responsibility (OBR) projections which suggest it would take 3 years nationally to recover employment levels from COVID but that GVA would return to pre-pandemic levels by Autumn 2022, (although this prediction predated the current crisis).

The report then looks more locally at business surveys in Leicestershire which suggests a 'relatively positive outlook for the region' albeit with more working from home in some sectors.

#### *b. Office Market*

Office take-up has been mainly in Leicester but also in Blaby. 37% of office development has been in Leicester and 63% out of town (Para 3.23). However, the pattern has changed.

In the pre-pandemic market new offices were sought in Leicester but since COVID occupiers are largely seeking to downsize, with office requirements reducing by around 30%, although there is some uncertainty about this going forwards (Para 3.24).

There are currently no new occupiers looking for sites in Leicester and there is a pipeline of 2.2 years supply which could rise in the short term due to downsizing.

*c. Manufacturing and Logistics*

Perhaps unsurprisingly logistics growth has been high (Para 3.45), and the pandemic has driven it higher with on-line retail growth fuelling demand for sheds in the Golden Triangle area.

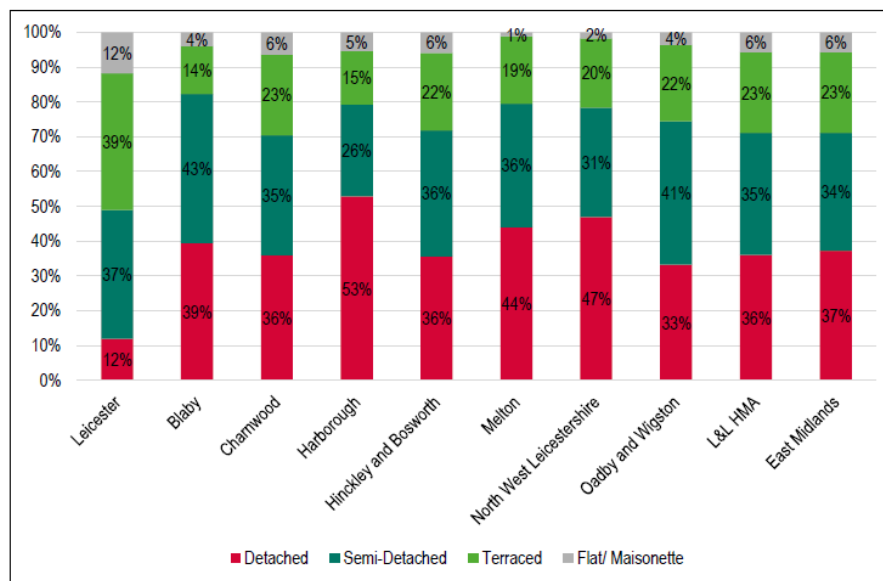
There has been strong take up across Leicestershire for all sizes of premises in manufacturing and logistics, particularly in North West Leicester. However, there is currently only 1.3 years of available sites based on past take up in the County.

Agents report tight supply, with demand from third party logistics and retailers, particularly for stock close to motorways and trunk roads.

*d. Housing*

The Housing Market Area (HEMA) has seen strong house price growth since 2013, particularly in Leicester, Charnwood and Oadby. However, the housing sales mix is very different in Leicester to the rest of Leicestershire with many more smaller terraced houses (39%) and fewer larger detached houses (12%). (Figure 4.4)

Figure 4.4: Distribution of Sales by Type, Year to Sept 2020



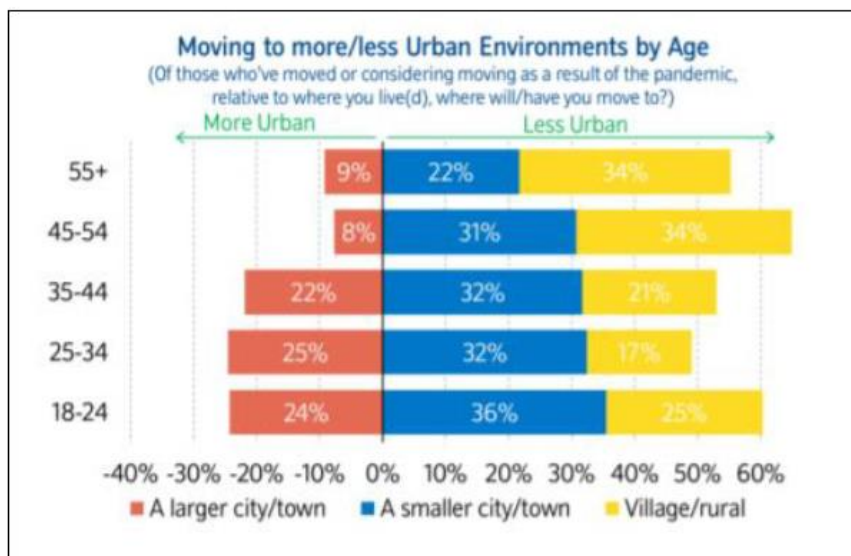
Source: Derived from ONS Small Area House Price Statistics Dataset 6

Sales volumes from 2014-2018 were down 20% on the pre-recession period, and Para 4.11 suggests a number of reasons, including longer mortgage periods, low interest rates and an aging population.

Help to buy has bolstered the market with 50% of new builds assisted by help to buy, mainly for first-time buyers (70% overall and 88% in Leicester).

Sales volumes grew in 2020 but this is currently mainly mortgage owners trading up (Para 4.17). The end of Help to Buy and post-COVID uncertainty mean the medium-term outlook is uncertain. Figure 4.8 shows a strong desire to move to less urban areas, which may well have been fuelled by the pandemic.

Figure 4.8: Preferences of those looking to move, Spring 2021

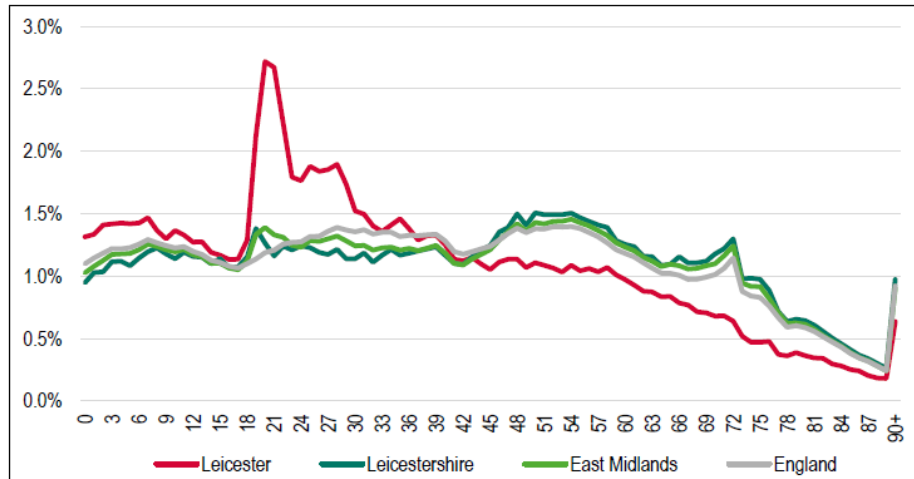


Source: Nationwide House Price Index Press Release, May 2021

#### e. Demographic Evidence

It should be noted that the demographic evidence predates the CENSUS results but what is clearly apparent from Figure 5.2 is that Leicester has a very different demographic profile to the rest of Leicestershire with more young people and, in particular, a spike of population from 18-30 but less people over 45.

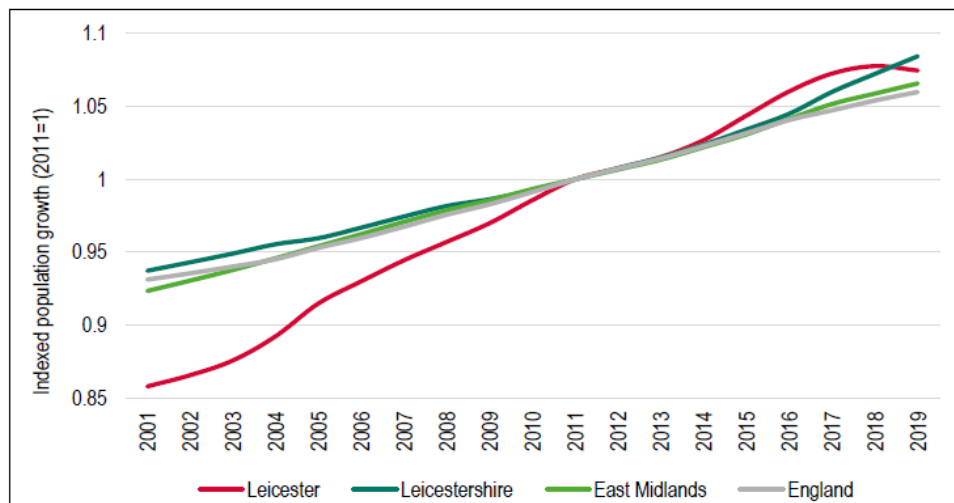
Figure 5.2: Population Age Profile, 2019



Source: ONS Mid-Year Population Estimates

The report suggests (using the ONS Mid-year estimates) that strong growth of population in Leicester going right back to the 2001 Census may result from undercounting at that point and notably the rest of Leicestershire has grown more in the last three years, as is demonstrated in Figure 5.4.

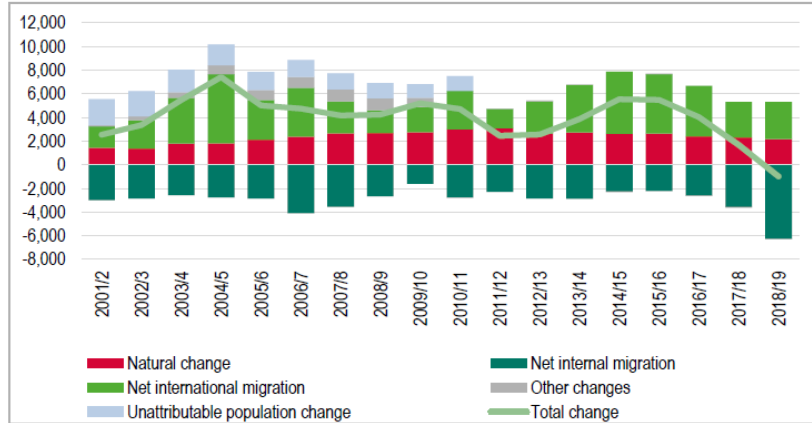
Figure 5.4: Indexed Population Growth, 2011-19



Source: ONS Mid-Year Population Estimates

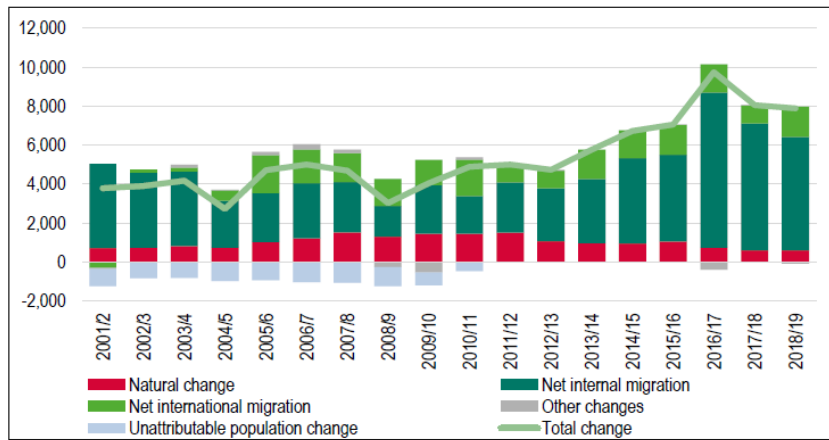
There has at the same time been considerable out-migration from Leicester mitigating the natural growth of population while in Leicestershire there has been higher inward migration as shown in Figure 5.7.

Figure 5.7: Components of Population Change, mid 2001-2019 – Leicester



Source: ONS Mid-Year Population Estimates

Figure 5.8: Components of Population Change, mid 2001-2019 – Leicestershire



Source: ONS Mid-Year Population Estimates

Notably the report compares the ONS’s Mid-Year Estimates with Patient Register Data which shows much higher registration in Leicester. The report is unclear why this might be but it would be consistent with concerns CPRE and others have raised in University Towns elsewhere about the impact of Student Patient Registration (as well as lack of de-registration) on population calculations.

The report compares the ONS2014 projections of population growth with the more up-to-date 2018 projections. These show lower growth in Leicester but higher growth in Leicestershire, although this is mitigated if one takes the ONS’s 2018 10-year migration variant (as the name implies) uses data about trends in migration over the past decade (2008-18), much longer than the main ONS 2018 projection.

**Table 5.11 Projected Population Growth (2020-2041) – Leicester**

	2020	2041	Change in population	% change
2018 (principal)	360,557	389,622	29,065	8.1%
2018 (alternative internal)	361,500	401,536	40,036	11.1%
2018 (10-year trend)	359,865	394,528	34,663	9.6%
2016-based	362,162	404,523	42,361	11.7%
2014-based	358,218	410,695	52,477	14.6%

Source: ONS

**Table 5.12 Projected Population Growth (2019-2041) – Leicestershire**

	2020	2041	Change in population	% change
2018 (principal)	715,117	850,255	135,138	18.9%
2018 (alternative internal)	711,526	820,237	108,711	15.3%
2018 (10-year trend)	708,254	784,515	76,261	10.8%
2016-based	700,527	787,455	86,928	12.4%
2014-based	697,889	791,808	93,919	13.5%

Source: ONS

The report suggests that the recent lower growth in Leicester and higher in Leicestershire reflects recessionary impacts and also relates to where housing has been delivered (Para 5.30). Housing delivery affects population, it says, as well as household size/structure (Para 5.35) but it concludes that the differences between ONS2014 and ONS2018 balances out across the whole area (Para 5.41).

To turn population figures into Households the report compares the household representative rate (which is the percentage of the population who are heads of a household) for the ONS2014 and ONS2018 results, the ONS2018 results suggesting less households.

They conclude that household growth has been suppressed, particularly in the 25-34 age group, and so the ONS2014 figures should be preferred as they are based on a longer time frame. This, is something, which CPRE has long challenged, believing that there may be structural changes to the housing market (such as finance to purchase properties) which means that household growth rate will remain lower and there will not be a return to previous household growth.

#### *e. Future performance*

Future Economic Performance is then assessed based on modelling from Cambridge Econometrics (CE). Account is taken of Brexit and COVID but the assumptions in the HENA pre-date the Ukrainian Crisis and Gas Price hikes (Para 6.9, 6.10).

The report starts with a baseline growth level which is based on CE assumptions about past and future performance using their March 2021 UK and regional forecasts. Overall growth is predicted to be highest in Leicester and North West Leicestershire, but the rate of growth is highest in North West Leicestershire and Harborough and weakest in Charnwood and Oadby. (Para 6.16)



They then looked at a higher growth scenario based on assumptions about strong sectors and policies.

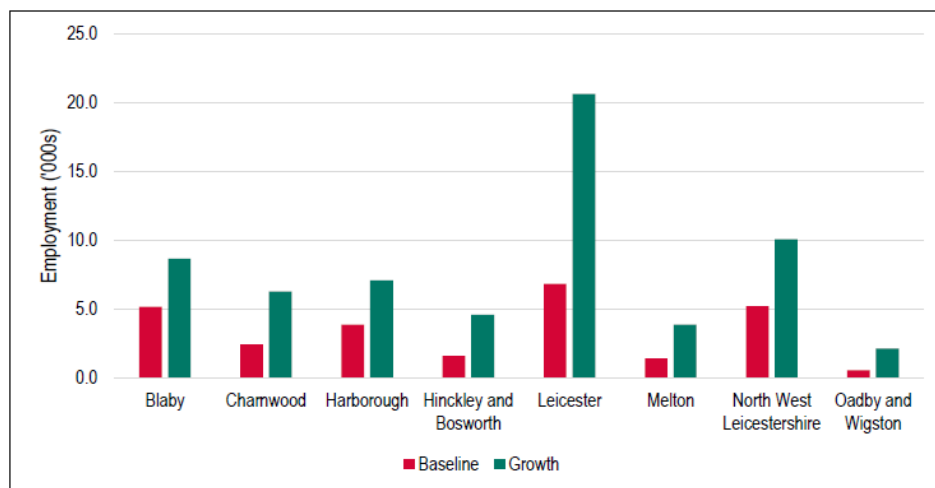
The key sectors they identify in Para 6.20 are:

- Advanced manufacturing and engineering -.
- Life sciences and biotechnology
- Logistics and distribution
- Sports science
- Space/aerospace/earth observation

There is also an assumption of growth in additional office sectors such as IT, professional and financial. (Para 6.21)

Figure 6.2 shows the Growth scenario leading to major employment increases in Leicester and North West Leicestershire and across Leicester and Leicestershire rising from 34,100 to 81,4000 (Table 6.4)

Figure 6.2: Employment Growth by Authority, 2020-36



Source: Cambridge Econometrics

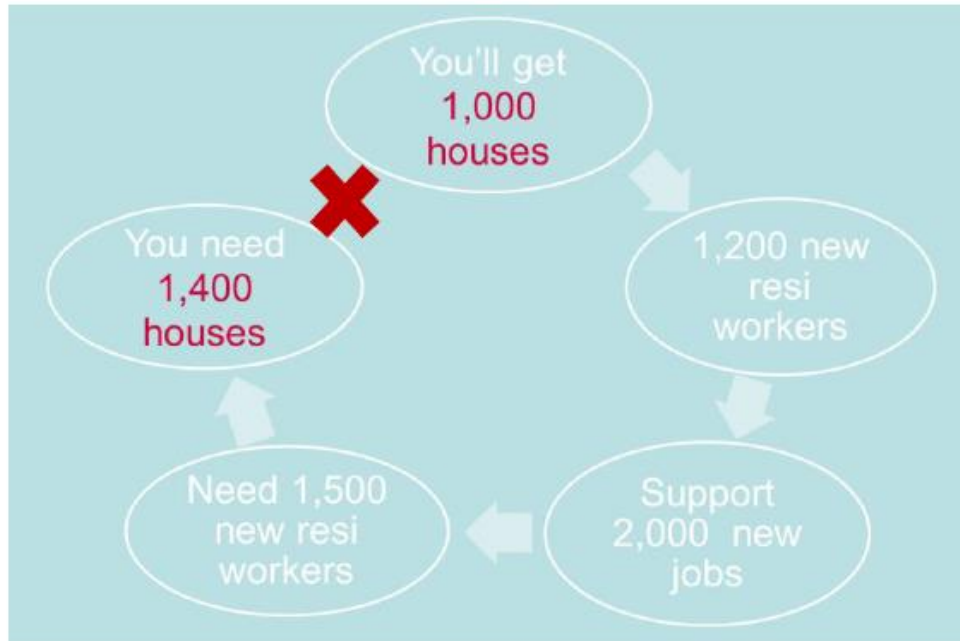
Table 6.4 Projections for Jobs Growth, 2020-41 ('000s)

	Baseline	Growth
Blaby	6.5	11.1
Chamwood	3.2	8.2
Harborough	4.8	9.0
Hinckley and Bosworth	2.0	5.9
Leicester	8.5	26.3
Melton	1.8	5.0
North West Leicestershire	6.5	12.9
Oadby and Wigston	0.7	2.9
Leicester & Leicestershire	34.1	81.4
CAGR	0.3%	0.7%

Source: Cambridge Econometrics

Of course, growth strategies tend to be, by their nature, aspirational. CPRE has been critical of their use in plan making, partly because they can lead to a circular argument about housing and employment where exaggerated figures for one feed in a loop into exaggerated figures for the other, something also identified by the Planning Advisory Service in their Objectively Assessed Need and Housing Targets Technical Advice Note (Second Edition July 2015) as they show in Their Figure 8.1.

**Figure 8.1 Self-defeating prophecy**



*f. Employment Land Needs*

Taking account of this analysis the HENA then considers a number of different projections for Office and Employment Needs.

These are based on both a labour-based model (how much space each new job requires) and on previous completions. As the HENA accepts (Para 7.3) each approach has difficulties and it is a matter of judgement which is best for predicting future needs.

The Labour Model results in a negative industrial need in the baseline up to 2036 and only a small amount in the growth strategy but significant need for warehousing (under 9,000 sqm). (Table 7.4-7.6)

Table 7.4 Labour Demand Land Needs, 2021-2036, ha

	Offices		R&D		Industrial		Distribution	
	Basel.	Growth	Basel.	Growth	Basel.	Growth	Basel.	Growth
Blaby	7.0	10.6	0.7	1.1	-2.0	1.4	3.7	12.1
Chamwood	3.8	5.8	0.8	1.4	-8.2	-1.6	3.3	13.3
Harborough	2.5	3.9	1.0	1.4	-4.8	-2.3	13.6	36.5
H&B	2.8	4.1	1.0	1.6	-11.0	-4.2	6.8	18.3
Leicester	0.8	1.6	2.0	3.0	-14.1	16.2	4.9	23.6
Melton	0.9	1.7	0.3	0.4	6.1	8.5	0.9	3.6
NWL	7.3	10.3	2.0	2.5	-8.0	-1.7	19.8	49.9
O&W	0.7	1.2	0.1	0.2	-3.7	-1.6	2.0	4.8
Total	25.8	39.2	8.1	11.7	-45.8	14.7	55.0	162.1

Source: CE/ Icenii

However, the HENA also adopts a sensitivity test, taking account of anticipated reductions in office space and more home working. They adopt a 30% reduction in line with various existing example (Para 7.19). This significantly reduces the need for offices (Table 7.7)

Table 7.7 Labour demand land needs, sqm office sensitivity

	Offices							
	Standard need				Need reduced 30%			
	2021-36		2021-41		2021-36		2021-41	
	Basel.	Growth	Basel.	Growth	Basel.	Growth	Basel.	Growth
Blaby	24,400	37,200	31,100	48,300	17,100	26,000	21,800	33,800
Chamwood	13,200	20,300	17,000	26,500	9,200	14,200	11,900	18,600
Harborough	8,700	13,500	11,100	17,600	6,100	9,500	7,800	12,300
H&B	10,000	14,300	12,900	18,900	7,000	10,000	9,000	13,200
Leicester	16,200	32,600	19,900	41,500	11,300	22,800	13,900	29,100
Melton	3,200	5,800	4,200	7,800	2,200	4,100	2,900	5,500
NWL	25,400	36,100	32,900	47,400	17,800	25,300	23,000	33,200
O&W	2,600	4,200	3,300	5,500	1,800	2,900	2,300	3,900
Total	103,600	164,000	132,600	213,500	72,500	114,800	92,800	149,500

Source: CE/ Icenii

Completions data for offices and industrial development is then considered. There has been a loss of industrial space in most authorities and in Leicester there has, despite several new developments, also been a net loss of offices. This appears to be because of conversion to residential.

The Completions data is then compared for the years 2011/12-2019/20 with the Labour Demand Model.

In terms of Offices the completions exceed even the growth model requirement so the Labour model is preferred.

In terms of industrial land gross completions far exceed the labour model but there are also significant losses. The report concludes that this is because some land is no longer suitable and future needs should be based on past completions. They,

similarly, they suggest using completions for warehousing, although they do accept that the growth may stabilise in the future.

The Report goes on to add in some flexibility: a 2-year margin for office and 5 for industrial land as well as a 7.5% churn factor. This result in the Employment land needs figures set out in Figs 7.24-7.26.

Table 7.24 Employment Land Needs 2021-2036, ha

	Offices inc R&D	Ind. & Dist.	All Employment Land
Blaby	9.1	29.0	38.0
Charnwood	7.5	35.7	43.2
Harborough	6.8	39.3	46.1
H&B	4.2	53.4	57.6
Leicester	1.8	72.7	74.5
Melton	2.0	38.1	40.1
NW Leicestershire	8.9	31.8	40.7
O&W	1.0	3.1	4.0
Total	41.3	302.9	344.1

Source: CE/ Icenl, \* 2.0 plot ratio equivalent to 10.5 ha at same 0.35 ratio as other areas

There is a modest need for offices, much larger need for industrial, and the majority for distribution.

#### *g. Housing Numbers*

The overall housing need for Leicester and Leicestershire is set out using the standard Methodology. Para 8.18 gives the overall SM calculation as 5,713 dwellings per annum (As stated above, this would now be 5,705 due to the latest affordability changes)

The HENA goes on to consider whether an uplift is justified to meet economic needs. In the 2036 baseline case the Cambridge Econometric calculation suggests a need for 27,000 jobs, which equates to one third of the new jobs supported by Standard Methodology figure, so no additional need is required.

Only North West Leicestershire (Para 8.26) would show a shortfall in jobs, which is exacerbated if a 1:1 commuting rate is assumed between authorities rather than the 2011 Census commuting rates, assuming such a change is achievable<sup>2</sup>.

<sup>2</sup> A 1:1 commuting ratio means that growth in the resident labour force and employment is assumed to align to one another. Where the Census commuting pattern is applied, this assumes that the commuting ratio (the ratio of workers in an area to residents in work) in 2011 is maintained, such that where areas see net in-commuting this is predicted to continue and visa-versa HENA Para 8.28)

Table 8.3 Comparing Jobs Growth supported by the Standard Method (Labour Supply) against CE Baseline Projections (Labour Demand)

	Jobs Growth - Baseline 2020-36	Jobs Supported by Standard Method 2020-36	
		Census Commuting	1:1 commuting on new jobs
Leicester	6,800	50,558	42,569
Blaby	5,100	5,489	5,100
Charnwood	2,400	15,034	17,620
Harborough	3,900	6,672	6,973
Hinckley & Bosworth	1,600	5,379	6,791
Melton	1,400	2,610	3,088
NW Leicestershire	5,200	4,562	3,932
Oadby & Wigston	500	2,677	3,342
L&L	26,900	92,981	89,415

Source: Cambridge Econometrics and Demographic Modelling

In Para 8.33 the Growth Scenario is then considered (up to 2041). The overall jobs figure is still below the Standard Methodology but Blaby, Melton and North West Leicestershire all under provide, so the authors argue could accommodate redistribution from Leicester. Each has a short-fall of housing and in the case of Blaby and North West Leicestershire it is greater if one aims for 1:1 commuting. The HENA considers there will be further issues post 2041-2050 in those authorities.

However, they then temper their conclusions with a number of further comments in 8.36. They warn that the housing growth is not currently supported by any Growth Area status and that there is no infrastructure currently planned that would elicit growth. They also warn that the level of the SM is 21% above the previous HEDNA projections and also above past delivery (the additional 35% imposed for Leicester obviously contributes to this state of affairs). Lastly, in terms of affordable housing which they consider further, they warn that while the overall housing numbers would not form a good basis for assessing affordable need, the SM figures represents a 43% upward adjustment to actual household projections, so should contribute to meeting that need.

#### *h. Affordable and Other Specialists Housing*

The rest of the HENA deals with affordable housing and other specialists housing issues.

I was not asked to look at these in any detail but it is worth noting (Para 9.44) that the HENA accepts that the relationships of overall housing need to affordable need is complex (as suggested above), and especially so as some affordable need is from people who are already in accommodation. This does not suggest an uplift to SM to meet affordability targets is required.

Para 9.119 sets out an overall view of affordable housing need with an acute need for rented affordable homes. The figures for affordable home ownership are considered to be the highest likely need as some may end up getting low prices market housing and some may not be able to actually get mortgages.

The key messages on housing mix are set out on page 203 of the HENA. The suggested emphasis is on houses rather than flats, mainly 2-3 bedroom, as well as a need for some bungalows.

Table 11.3 and 11.4 show the projected growth in older people, with more than 60% growth in over 75s across both Leicester and Leicestershire by 2041. This would suggest a need for significant policy interventions to provide housing and specialist housing suitable for older people, something CPRE has supported.

**Table 11.3 Projected Change in Population of Older Persons, 2020 to 2041 – Leicester (based on 2018-SNPP)**

	2020	2041	Change in population	% change
Under 65	317,462	339,787	22,325	7.0%
65-74	24,869	29,868	4,999	20.1%
75-84	13,203	22,002	8,799	66.6%
85+	5,965	9,879	3,913	65.6%
Total	361,500	401,536	40,036	11.1%
Total 65+	44,038	61,749	17,711	40.2%
Total 75+	19,169	31,880	12,712	66.3%

Source: Demographic Projections

**Table 11.4 Projected Change in Population of Older Persons, 2020 to 2041 – Leicestershire (based on 2018-SNPP)**

	2020	2041	Change in population	% change
Under 65	564,037	610,221	46,184	8.2%
65-74	79,735	96,019	16,284	20.4%
75-84	48,755	78,326	29,571	60.7%
85+	18,999	35,671	16,672	87.7%
Total	711,526	820,237	108,711	15.3%
Total 65+	147,489	210,016	62,526	42.4%
Total 75+	67,754	113,997	46,242	68.2%

Source: Demographic Projections

Pages 242 and 243 of the HENA summarise the needs for both the older and the less-able segments of society, with a clear need for more homes adapted to their needs.

#### 4. Distribution issues in terms of housing and employment land

Alongside the HENA two papers were produced which considered how the unmet needs arising in Leicester should be met, one on housing and one on economic development. These feed into the 2022 Statement of Common Ground which apportions unmet need to the Leicestershire local authorities. I deal with each in turn.

### a. Housing Distribution

The Housing distribution paper is predicated on an Unmet Need of 18,700 in Leicester or 1169 dpa up to 2036. It considers various ways of distributing that unmet need, taking the SM calculation as the baseline for each local authority.

The first way is to consider functional relationships between the authorities, that is to say Commuting and Out Migration. In terms of migration the strongest relationships are with Oadby, Blaby, Charnwood and weaker with North West Leicestershire and Melton. The strongest commuter flows are from Charnwood and Blaby followed by Oadby. Out commuting is particularly strong to Blaby, but also Charnwood and Oadby. As a result, Blaby has the strongest gross commuter rate (the combination of both in and out commuting), followed by Charnwood and Oadby. A blended average is taken as the best first step to distributing need.

**Table 4.5 Initial Redistribution based on Functional Relationship to Leicester**

dpa	Standard Method LHN	Scale of Unmet Need	Functional Relationship to Leicester (Blended Average)	Initial Redistribution of Unmet Need	Resultant Housing Need
Leicester	2464	1169			1295
Blaby	341		27%	313	655
Charnwood	1111		25%	289	1400
Harborough	534		11%	123	657
H & B	472		9%	102	574
Melton	231		2%	29	260
NWL	372		4%	52	424
O & W	188		22%	260	448
L & L	5713		100%	1169	5713

NB: Totals may not sum due to rounding

Para 4.13 suggests a rationale for this, and says using commuting may allow for reduction in out commuting if located in commuter areas where there is an existing housing market relationship. The report does not appear to give evidence to support this contention, and there is a rational (and perhaps stronger) counter argument that locating new housing in a commuter belt will encourage greater commuting into Leicester, and discourage more sustainable local development in other urban centres in Leicestershire.

The alternative approach they consider is to rely on aligning housing with jobs. This goes back to the HENA results which suggested North West Leicestershire and Melton were undersupplied to meet economic needs and so would support redistributing housing there.

The report then considers the constraints on housing development. First it compares the current plan figures with the needs resulting from the functional relationships. It then adds in potential supply based on the authorities' Strategic Housing Land Availability Assessments (SHLAAs) but notes that those figures need to be taken with caution (not least because a site in a SHLAA may quite simply not be considered suitable to be allocated in a plan). There is also the obvious problem (Para 6.9) that a lot of SHLAA evidence is out of date, notably in Leicester. This leads to an overall surplus of 79,363 homes (Table 6.5) with only Oadby having a shortfall.

Table 6.5 Comparing Current Potential Supply to Emerging Housing Need, 2020-36

	Initial Re-distribution (dpa)	Economic Adjustments (dpa)	Resultant Housing Need (dpa)	Housing Need, 2020-36	Total Potential Supply	Shortfall/Surplus
Leicester	1,295		1,295	20,720	20,721	-
Blaby	655		655	10,473	25,298	14,825
Charnwood	1,400		1,400	22,401	40,812	18,411
Harborough	657		657	10,515	20,055	9,540
H&B	574		574	9,182	28,568	19,386
Melton	260	3	263	4,201	10,564	6,363
NW Leicestershire	424	182	606	9,696	22,241	12,545
Oadby & Wigston	448		448	7,170	5,462	-1,708
HMA Total	5,713		5,789	94,358	173,721	79,363

NB: Totals may not sum due to rounding

Lastly, it considers the market capacity to deliver this housing in the functional relationship results based on Compound Annual Growth Rates (CAGR) by authority. This would be particularly demanding for Charnwood with an CAGR of 1.6% which the authors consider to be above an achievable level of delivery, so they cap delivery at 1.4%

The report links these with the potential for jobs growth (para 6.21). This leads to upwards adjustments in both North West Leicestershire and Hinckley and Bosworth and reductions in Blaby.



Table 6.9 Proposed Interim Distribution of Housing Provision to 2036

dpa	Leicester	Blaby	Charnwood	Harborough	H & B	Melton	NWL	O & W	L & L
Standard Method LHN	2464	341	1111	534	472	231	372	188	5713
Amount to be redistributed from Leicester	1169								
Redistribution based on functional relationship to Leicester		27%	25%	11%	9%	2%	4%	22%	
Additional dpa		313	289	123	102	29	52	260	1169
Distribution based on Functional Relationship	1295	655	1400	657	574	260	424	448	5713
Adjustments to support Future Economic Growth						3	182		185
Adjustments based on Current Plan Provision and Land Supply						37		-208	-171
Residual Distribution with Adjustments	1295	655	1400	657	574	300	606	240	5727
Implied Stock Growth (CAGR, 2020-36)	0.9%	1.3%	1.6%	1.4%	1.0%	1.2%	1.2%	1.0%	1.2%
Final Adjustments to Support Deliverability and Manage Commuting		32	-211		85		80		
Proposed Redistributed Housing Provision (dpa 2020-36)	1295	687	1189	657	659	300	686	240	5713
Stock Growth CAGR		1.4%	1.4%	1.4%	1.2%	1.2%	1.3%	1.0%	1.2%

NB: Totals may not sum due to rounding

### b. Economic Land Distribution

Para 1.8 of the Economic Land Distribution Paper sets out three criteria for meeting ‘unmet’ industrial need from Leicester (quantified at 23.3 hectares for industrial/small B8 (logistics)).

It is considered appropriate for authorities adjoining Leicester to be considered for unmet needs in the first instance (Charnwood, Blaby, Harborough, Oadby and Wigston) given the accessibility to the city and associated supply of labour.

Sites should be located in good proximity to Leicester, preferably adjacent to the existing urban area.

Sites should be well connected to Leicester by road (A-road) and ideally connected to the wider strategic network (A-road/motorway network).

Para 1.10 identifies the A46, A50, A6, A47 and M1/M69 as corridors around Leicester that are likely to be well placed to meet, or contribute to meeting, the identified unmet need for employment land.

The paper then identifies (Para 1.13) opportunities in Charnwood, Harborough, Blaby and Oadby but principally the suggestion is that Charnwood is best able to meet these needs, including the two Urban Extensions already identified in Charnwood and so suggest allocating all the unmet need to Charnwood.<sup>3</sup>

<sup>3</sup> Land North East of Leicester Sustainable Urban Extension (SUE) (13 ha, Thurmaston) and North of Birstall SUE (15 ha).

### *c. The Statement of Common Ground (SoCG)*

The 2022 Statement of Common Ground by Leicester and Leicestershire Authorities (SoCG) adopts the figures set out in the two distribution papers.

There is agreement that the Industrial Land identified should be met by overspill to Charnwood

However, the SoCG identifies disagreement about the housing distribution between Hinckley and Bosworth and the other authorities in relation to the delivery limit based on the CAGR, which effectively transfer overspill housing from Charnwood to Hinckley. They consider this is arbitrary and support the original distribution based on functional relationships.

The Hinckley objection would increase housing in Charnwood from 1189 dpa to 1400 and reduce it in Hinckley and Bosworth from 659 to 574 as can be seen in the distribution table reproduced above.

## 5. Environmental Impact Assessment

The HENA includes an Environmental Impact Assessment by AECOM which considered three alternatives, growth of a. 15,900 (based on earlier assessment of unmet need), growth of b. 20,000 and lower growth of c. 7,950. It also considered several options for dispersing that growth:

1. Roll forward of local plan settlement patterns
2. Equal share of needs between each authority
3. Focus on strategic sites
4. Focus on growth near to the Leicester urban area (within 10 Km)
5. HENA distribution

The summary includes maps which set out the implications of each scenario and the resulting appraisal table.

The assessment not surprisingly concludes that there are higher positive benefits for the economy and housing for the higher growth scenarios but negative impacts on biodiversity, landscape and land, cultural heritage, water and mineral outcomes, with more pronounced negative effects seen for landscape and land outcomes.

They conclude there are mixed positive outcomes for health and wellbeing and also for transport.

They conclude that the HENA option for growth of 15,900 is appropriate (although, of course this is not the level currently proposed.) Similarly, it considers the HENA approach to Employment Land to have only limited negative effects.

I do have some concerns about this analysis, not least because it assumes the level of supply in the urban areas cannot be raised, despite the evidence, even in the

HENA itself that there are additional sources of supply, for example from redundant office space.

I also have particular concerns about the Transport implications which CPRE has raised at the Charnwood Examination.

In fact, Para 5.2.8 of the SA raises the spectres of increased congestion on roads into Leicester if the HENA approach was adopted and that this could be a major negative impact (See also detail on Page 109 of the SA). The SA goes on to suggest that equally this could lead to public transport benefits that would be extremely positive, although these are undefined and may simply never be delivered.

To counter this Para 5.2.9 of the SA makes assertions about public transport improvements to counter this. I do not think this stands up to scrutiny. Firstly because of the way sites have been selected and the likelihood they will be designed to facilitate Public Transport and second because the likelihood of any source of funding being available to make them viable in a commercial de-regulated environment seems to me at best uncertain.

To take one pertinent example, the Infrastructure Delivery Paper for the Charnwood Plan suggests Public Transport Investment will be concentrated on Loughborough and Shepshed, albeit without assessing its impact. In contrast, on arterial roads, the main emphasis is on providing capacity because public transport investment is seen as insufficient. This undermines the assertion in the SA.

Given the already high level of car-commuting, the major negative impacts seem more likely (but untested by any traffic modelling). This is likely to result in additional congestion problems and hence rises in carbon emissions as well as pollution. At the same time, it would, almost inevitably, further increase calls for additional road capacity with no consideration of the implications or funding.

And notably Para 5.2.8 on climate change does not seem to give great weight to traffic growth in terms of emissions (See also p125).

Overall, this suggests that the Transport Assessment within the SA is far too optimistic about delivery of mitigation in terms of Public Transport than is supported by evidence.

I have not examined all aspects of the SA but I am concerned that similar optimism bias may mean negative impacts are underplayed in higher growth options.

## 6. Conclusions and Comments

The HENA provides useful and detailed information on the housing and economic market in Leicester and Leicestershire. It does not provide an update on the housing supply situation which is in many cases out of date (particularly in Leicester) and would suggest greater availability of brown field land than is currently being assumed.

It does suggest there will be significant shifts, particularly in the Office market, which would suggest more land becoming available for both housing and mixed developments.

At the same time, it brings out the differences in the housing market in Leicester and Leicestershire.

It does not suggest any reason to increase housing to accommodate economic growth, even if one takes the optimistic growth scenario.

There may be some need for additional employment land provision for Industrial/Small Logistics development but this can be accommodated on already identified sites in Charnwood. It does not deal with large scale logistics where there is a risk of over-supply on top on the Hinckley Rail Freight Terminal as we have commented elsewhere.

The CENSUS results add weight to our view that the ONS2016 figures represent a much better way of projecting forward future housing needs which would reduce the unmet need. It also brings into question the arbitrary 35% addition to Leicester's Housing Numbers.

Along, with the potential additional supply this suggests the need for unmet need in Leicester to be exported elsewhere is over-stated.

In terms of the approach to apportioning that housing need, the distribution paper sets out the factors that might be considered.

However, its reliance on past functional relationships, particularly commuting and migration rates, threatens to exacerbate commuting issues into Leicester. The Sustainability Appraisals assumption that this could have been mitigated by public transport improvements appears to be little more than wishful thinking.

Notwithstanding the disagreement in the SoCG with Hinckley and Bosworth over whether unmet need should be directed to them or Charnwood, the impact of the approach set out on transport and Climate Change is far from adequate.

There seems to be little consideration in the HENA of the potential to see a hollowing-out of Leicester so it loses its higher earners, who commute in for jobs, leaving more social deprivation in the city. This is an area which CPRE might wish to press for more evidence on so that a more robust position can be established.

The impact on the environment and landscape surrounding Leicester and its local, regional and wider value also seems to be underplayed.

CPRE should, therefore, in my view continue to be highly critical of the approach, particularly to housing need, both its quantum and how that quantum would be met. This is already reflected in the response to the Charnwood Plan Examination (Matter 10).

Lastly, although I did not consider affordable housing, housing mix and specialists housing needs in detail, it is clear these will remain important issues and the aging population will make it critical that appropriate housing and specialist housing is provided. It is also critical to consider transport and access to services for those groups, when looking at new housing.

In conclusion CPRE should continue to press the key points that it considers

- the assumed level of housing need is too high
- more housing can be provided on brownfield land in Leicester and other centres
- the unmet need from Leicester is exaggerated
- the approach to dealing with that unmet need is to create unsustainable urban extensions and new housing estates which would undermine urban regeneration, increase congestion and damage long-term climate change reduction goals.

In this respect the mechanical approach of both the HENA and the distribution papers, particularly in regards to housing, is unable to examine sufficiently the negative impacts on transport, climate change, landscape and biodiversity, which the SA suggests.

As well as continuing to challenge the approach of local authorities in Leicester and Leicestershire, the proposed Leicestershire CPRE Vision should articulate an alternative approach which is realistic about housing need, promotes urban regeneration and highlights the serious environmental and transport issues.

## Appendix 1: Standard Methodology Tables for Section 2

Table 1: Leicestershire Local Authority Need (Standard Methodology 2022-2032, 2021 Affordability)

		ONS2014	ONS2016	ONS2018
Blaby		341	407	<b>532</b>
Charnwood		<b>1148*</b>	981	<b>1148</b>
Harborough		534	555	702
Hinckley		472	539	<b>630</b>
Melton		231	133	175
NW Leicestershire		372	510	<b>673</b>
Oadby		188	131	114
Leicester		<b>1792</b>	1289	967
Leicester +35%		2419	1740	1305

\* Bold figures are capped at 40% above current Local Authority Plan figures

Table 2: Leicestershire and Leicester Total Need (Standard Methodology 2022-2032 2021 Affordability)

	ONS2014	ONS2016	ONS2018
Leicestershire	5117	4545	4941
Leicestershire including 35%	5705	4996	5279

Table 3: Change in Standard Methodology Output 2020-2021 Affordability, Leicester and Leicestershire Total

ONS2014	2020	2021
Leicestershire	4846	5117
Leicestershire including 35%	5440	5705

Table 4: Change in Standard Methodology Output 2020-2021, Leicestershire Local Authorities

ONS2014	2020	2021
Blaby	329	341
Charnwood	1111	<b>1148*</b>
Harborough	516	534
Hinckley	444	472
Melton	201	231
NW Leicestershire	368	372
Oadby	180	188
Leicester	1697	<b>1792</b>
Leicester +35%	2291	2419

\* Bold figures are capped at 40% above current Local Authority Plan figures

Table 5: Divergence of Household ONS projections from 2021 Census

	2014	2016	2018
Blaby	-989	6	1442
Charnwood	2452	524	1829
Harborough	-1055	-1114	-452
Hinckley	-18	1289	2234
Melton	528	-6	121
NW Leicestershire	-2695	-1354	529
Oadby	-691	-1707	-1659
Leicester	10367	-858	-2450
Total	7899	-3220	1594

Table 6: % Divergence of Household ONS projections from 2021 Census

	2014	2016	2018
Blaby	-2.32%	0.01%	3.38%
Charnwood	3.32%	0.71%	2.48%
Harborough	-2.61%	-2.76%	-1.12%
Hinckley	-0.04%	2.61%	4.52%
Melton	2.34%	-0.03%	0.54%
NW			
Leicestershire	-5.99%	-3.01%	1.18%
Oadby	-3.06%	-7.55%	-7.34%
Leicester	8.14%	-0.67%	-1.92%
Total	1.86%	-0.76%	0.38%



## Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Leicestershire**

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Leicestershire objects to Policy SL03 and the associated paragraphs, namely 4.27 and 4.28. We do not believe that it meets the tests of soundness:

- **Positively prepared** – as presented the proposed development is not consistent with achieving sustainable development;
- **Justified** – minimal information about the approach to developing this site is provided;
- **Effective** – by not linking it together with two close neighbouring developments it fails to plan development effectively.

Our objection to Policy SL03 should be read in conjunction with our objections to Policies SL01 and SL04. We do not support the allocation of this strategic site as part of our overall objection to SL01.

However, we would not want the removal of this site from the Plan to lead to calls by the Council for even worse and more unsustainable housing options in surrounding districts. So this objection both supports our objection to SL01 and is supported by it.

In addition to our objection to the principle of developing this land East of Ashton Green, we have concerns about the content, or more accurately the lack of content, of Policy SL03 that leads us to the conclusion that it has not been positively prepared.

We do not offer any specific alternative wording as, in our view, the policy should be withdrawn. However, we note the lack of strategic detail, for example, about transport provision, in the policy. If it remains, we do not consider it gives adequate guidance to ensure the development is delivered sustainably and in line with other policies in this plan, such as Policy T01, DQP01, and CCFR01 or statements such 15.10 on Biodiversity Gain principles.

### **Scale and Impact of Development**

This site currently forms part of what historically has been an important 'Green Wedge' between Birstall and Leicester, including the now emerging Ashton Green developments. Given its location, the role of this green wedge was to provide a 'green lung' running from the open countryside on the edge of the city into the urban area. The removal of its green wedge designation and this proposed development, Policy SL03 Land East of Ashton Green, will completely destroy its function as a 'green lung'.

This development, together with that proposed in Policy SL04 and Ashton Green, will contribute to a significant loss of countryside and change in the green character of the wider area.

The September 2022 Sustainability Appraisal, on p. 83, noted that together with the existing development and future plans for Ashton Green, they would "comprehensively change the area from greenfield and Green Wedge to a large new community". Figure 7.1 on p. 84 illustrates the closeness of three areas geographically.

Despite their geographical closeness, each site is being treated as a distinct separate development in what appears to be a piecemeal approach to planning. In the way that the policies are presented, each appears as a separately planned development rather than as part of the creation of a new sustainable community with its houses, jobs and services well related to each other across the three sites.

The requirement in the policies for separate Master Plans for the delivery and phasing of this site may be appropriate, but they need to be linked to a wider Master Plan or an overall Strategy for development for this new wider community. Whether the requirement for the production of a Masterplan will produce a sustainable form

of development is dependent upon how far the requirements within Policy SL03 specifically address sustainability considerations. There is no reason currently to suppose that such a masterplan will achieve it for SL03.

In CPRE Leicestershire's view, there is a lack of vision about the opportunities for a developing a coherent and sustainable new community. This demonstrates a failure to pursue a positive, effective and integrated approach to planning the future of this part of the City, which appears to have been a characteristic of planning this part of Leicester since the early 1980s. It is important that the remaining opportunities are grasped now.

### **Sustainability Appraisal**

Some basic but fairly minimal information about the location, nature and scale of the proposed development is provided in SL03 and the supporting text. This relates to Housing, Open Space and Delivery as well as to facilities, a new Secondary School, and employment uses.

The supporting text refers to some requirements to be covered by a Master Plan. In our view some of these, together with other requirements, should be included specifically in the policy.

This lack of information and suggestions in the Sustainability Appraisal of a negative sustainability impact of this site is concerning and evidence of a lack of soundness. Statements in Sustainability Appraisal Appendix E such as "This policy does not provide enough detail to allow it to be appraised" in reference to SL03 accord with our concern over the lack of information as does a reference to items suggested for inclusion in the policy not being addressed.

The site does not score positively with regard to sustainability and becoming a sustainable development. In Sustainability Appraisal Appendix D (p. 8), overall the East of Ashton Green site (Policy SL03) is seen as very negative compared with the present with "mostly negative impacts, especially for biodiversity and transport, but very positive for housing". The proposal for a Secondary School can be seen as positive in terms provision of services and infrastructure.

Recommendations were made for inclusions in the policies or masterplan to address some of the sustainability issues, most which do not appear in the policies as we would argue they should. Some suggestions are included in table *Recommended mitigation measures and the implementation in the plan* in Sustainability Appraisal Appendix E and also in Appendix D on pp. 6-8.

In the Sustainability Appraisal referred to above and also in the Site Assessment Spreadsheet (p.6) this site has a negative rating from a sustainability perspective.

### **Promoting a Sustainable Development**

Policy SL03 is somewhat vague about most of the infrastructure and services required to make this proposed development sustainable, either within this site or through the wider new community.

We set out some issues which need to be addressed:

- ***Provision of Services***

Where a range of different services can be accessed is an important consideration for sustainability. Clarity is required on how and where residents of these new developments are expected to access them, whether it is Ashton Green, Birstall, Anstey, Beaumont Leys or elsewhere. Location is important in reducing the need to travel and potentially in reducing emissions.

Policy TCR01 suggests that Beaumont Leys will be the Town Centre to serve “the northwest sector of the city and the Leicester Urban Area, including Ashton Green” and that a new local centre will be provided in Ashton Green.

It is, however, unclear how residents will be able to use public transport and active travel rather than car travel options to access these two centres.

- ***Transport and Travel***

This site is on the edge of the city and adjacent to the A46 western Bypass. Without good long-term public transport and active travel links to the wider network and between the different areas of this emerging new community, travel is likely to be car dependent and unsustainable.

Currently there are no proposed public transport improvements which would address this issue. Nor is there any specific reference or proposals in relation to SL03 as to how this issue could be successfully addressed. Indeed SL03 appears to be in conflict with Policy T01 which says “Development will be supported in suitable locations, where it promotes sustainable transport” by meeting various criteria set out in T01 and statements in paragraphs 6.13 and 6.20.

In CPRE’s view, achieving sustainable transport in connection is a crucial sustainability and climate change issue that has yet to be successfully addressed

through Local Plans. It is unclear how this Plan will be any more successful.

- ***Biodiversity***

Development of this site will have major negative impact on biodiversity and nature. Given its location on the edge of the countryside and the loss involved, it is crucial that measures to mitigate harm to nature and secure Biodiversity Gain occurs on site.

This can be done by way nature considerations are designed into the site through, for example, maximising green infrastructure, provision of nature corridors or the planting and restoration of hedgerows. Paragraph 15.10 sets out some principles for achieving biodiversity gain which we support and should shape both a revised Policy SL03 and the Masterplan for the site.

However, biodiversity gain offsets away from this site will not contribute to the development being sustainable and so, in our view, is not the way forward in this case.

- ***Links to Countryside***

Being able to enjoy the countryside and nature has been recognised increasingly as good for our physical and mental health. Links that provide easy access, physically and visually can be important to creating a sustainable development and is especially important in this case given the loss of countryside and green wedges.

- ***Energy and Climate Change***

We are surprised, that given the City Councils commitment to tackling the Climate Emergency and to achieving net zero by 2030, there are no policy requirements regarding renewable energy provision for this site.

While some of these topics are covered in different policies across the Plan, it is important that their application is directly spelt out as requirements in site specific policies.

In CPRE Leicestershire's view, this policy does not meet the tests of soundness, and requires considerable modification if it is to do so. As a result, we object to its inclusion currently in the Plan and to the allocation of this site for development.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need

to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We do not offer any specific alternative wording as, in our view, the policy should be withdrawn.

However, we noted the lack of strategic detail, for example, about transport provision, in this policy. If it remains, we do not consider it gives adequate guidance to ensure the development is delivered sustainably or in line with other policies in this plan, such as Policy T01, DQP01, and CCFR01 or statements such 15.10 on Biodiversity Gain principles.

To make Policy SL03 sound requires it to set requirements with regard to sustainable transport, design, access to town and local centres, biodiversity on the site, links to green spaces and countryside and energy and climate change as well as to housing and development requirements.

(Continue on a separate sheet /expand box if necessary)

**Please note** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

**A** representative of CPRE Leicestershire **Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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CPRE is questioning an important element of the Plan document - policies SL01, SL03 and SL04 - and its position and argument should be heard at the Examination into the Plan as a particular viewpoint which differs from that of the Council.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Leicestershire**

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Leicestershire objects to Policy SL04 and the associated paragraphs, namely 4.29 and 4.30. We do not believe that it meets the tests of soundness:

- **Positively prepared** – as presented the proposed development is not consistent with achieving sustainable development;
- **Justified** – minimal information about the approach to developing this site is provided;
- **Effective** – by not linking it together with two close neighbouring developments it fails to plan development effectively.

Our objection to Policy SL04 should be read in conjunction with our objections to Policies SL01 and SL03. We do not support the allocation of this strategic site as part of our overall objection to SL01.

However, we would not want the removal of this site from the Plan to lead to calls by the Council for even worse and more unsustainable housing options in surrounding districts. So this objection both supports our objection to SL01 and is supported by it.



In addition to our objection to the principle of developing this land North of A46 Bypass, we have concerns about the content, or more accurately the lack of content, of Policy SL04 that leads us to the conclusion that it has not been positively prepared.

We do not offer any alternative wording as, in our view, the policy should be withdrawn. However, we note the lack of strategic detail, for example, about transport provision, in the policy. If it remains, we do not consider it gives adequate guidance to ensure the development is delivered sustainably and in line with other policies in this plan, such as Policy T01, DQP01, and CCFR01 or statements such 15.10 on Biodiversity Gain principles.

### **Scale and Impact of Development**

This site consists of 33 ha of land to the north of the A46 Western Bypass between the bypass and the City Charnwood boundary. It is part of the Castle Hill 'Green Wedge' and currently forms part of a green wedge along the City boundary in the vicinity of Thurcaston village in Charnwood and forms part of a more extensive ecological network. This site would bring development up to the boundary with Thurcaston and result in the loss of this part of the green wedge.

This development, together with that proposed in Policy SL03 and Ashton Green, will contribute to a significant loss of countryside and change in the green character of the wider area.

The September 2022 Sustainability Appraisal, on p. 83, noted that together with the existing development and future plans for Ashton Green, they would "comprehensively change the area from greenfield and Green Wedge to a large new community". Figure 7.1 on p. 84 illustrates the closeness of three areas geographically.

Despite their geographical closeness, each site is being treated as a distinct separate development in what appears to be a piecemeal approach to planning. In the way that the policies are presented, each appears as a separately planned development rather than as part of the creation of a new sustainable community with its houses, jobs and services well related to each other across the three sites.

The requirement in the policies for separate Master Plans for the delivery and phasing of this site may be appropriate, but they need to be linked to a wider Master Plan or an overall Strategy for development for this new wider community.

Whether the requirement for the production of a Masterplan will produce a

sustainable form of development is dependent upon how far the requirements within Policy SL04 specifically address sustainability considerations. There is no reason currently to suppose that such a masterplan will achieve it for SL04.

In CPRE Leicestershire's view, there is a lack of vision here about the opportunities for a developing a coherent and sustainable new community. This demonstrates a failure to pursue a positive, effective and integrated approach to planning the future of this part of the City, which appears to have been a characteristic of planning this part of Leicester since the early 1980s. It is important that the remaining opportunities are grasped now.

### **Sustainability Appraisal**

Some basic but fairly minimal information about the location, nature and scale of the proposed development is provided in SL04 and the supporting text. This relates to Housing, Open Space and Delivery and the retention of the on-site pond.

The brief supporting text refers to some requirements to be covered by a Master Plan. In our view some of these, together with other requirements, should be included specifically in the policy.

This lack of information and suggestions in the Sustainability Appraisal of a negative sustainability impact of this site is concerning and evidence of a lack of a soundness. Statements in Sustainability Appraisal Appendix E such as "This policy does not provide enough detail to allow it to be appraised" in reference to SL04 accord with our concern over the lack of information as does a reference to items suggested for inclusion in the policy not being addressed.

The site does not score positively with regard to sustainability and becoming a sustainable development. In Sustainability Appraisal Appendix D (p. 10), overall the Land North of the A46 Bypass (Policy SL04) is seen as negative as compared to the present situation and again "with mostly negative impacts, especially for biodiversity and transport, but very positive for housing." It also notes "this policy does not provide enough detail to allow it to be comprehensively appraised" as well as mentioning impacts on an adjacent Local Wildlife Site and part of the site is flood zone 3b.

Recommendations were made for inclusions in the policies or masterplan to address some of the sustainability issues, most which do not appear in the policies as we would argue they should. Some suggestions are included in table *Recommended mitigation measures and the implementation in the plan* in Sustainability Appraisal

Appendix E and also in Appendix D on pp. 9-10.

In the Sustainability Appraisal referred to above and also in the Site Assessment Spreadsheet (p.5) this site has a negative rating from a sustainability perspective.

### **Promoting a Sustainable Development**

Policy SL04 is vague about most of the infrastructure and services required to make this proposed development sustainable, either within this site or through the wider new community.

We set out some issues which need to be addressed:

- ***Provision of Services***

Where a range of different services can be accessed is an important consideration for sustainability. Clarity is required on how and where residents of these new developments are expected to access them, whether it is Ashton Green, Birstall, Anstey, Beaumont Leys or elsewhere. Location is important in reducing the need to travel and potentially in reducing emissions. This site may be close to Thurcaston but is distant from most services, too small for on most on site services so travel to access them is very likely to be by car.

Policy TCR01 suggests that Beaumont Leys will be the Town Centre to serve “the northwest sector of the city and the Leicester Urban Area, including Ashton Green” and that a new local centre will be provided in Ashton Green. It is, however, unclear how residents will be able to use public transport and active travel rather than car travel options to access these two centres.

- ***Transport and Travel***

This site is on the edge of the city and across the A46 western Bypass. Without good long-term public transport and active travel links to the wider network and between the different areas of this emerging new community, travel is likely to be car dependent and unsustainable.

There are currently no proposed public transport improvements which would help address this. Nor is there any specific reference or proposals in relation to SL04 as to how the issue could be successfully addressed. Indeed SL03 appears to be in conflict with Policy T01 which says “Development will be supported in suitable locations, where it promotes sustainable transport” by meeting various criteria set out in T01 and statements in paragraphs 6.13 and 6.20.

In CPRE's view, achieving sustainable transport in connection is a crucial sustainability and climate change issue that has yet to be successfully addressed through Local Plans. It is unclear how this Plan will be any more successful.

- ***Biodiversity***

Development of this site will have major negative impact on biodiversity and nature. Given its location on the edge of the countryside and the loss involved, it is crucial that measures to mitigate harm to nature and secure Biodiversity Gain occurs on site.

This can be done by way biodiversity and nature considerations are designed into the site and how the development fits into the wider natural environment and impacts on the adjacent Local Wildlife site. Paragraph 15.10 sets out some principles for achieving biodiversity gain which we support and should shape both a revised Policy SL04 and the Masterplan for the site.

Biodiversity offsets away from this site will not contribute to the development being sustainable and so, in our view, is not the way forward in this case.

- ***Links to Countryside***

Being able to enjoy the countryside and nature has been recognised increasingly as good for our physical and mental health. Links that provide easy access, physically and visually can be important to creating a sustainable development and is especially important in this case given the loss of countryside and green wedges.

- ***Energy and Climate Change***

We are surprised, that given the City Councils commitment to tackling the Climate Emergency and to achieving net zero by 2030, there are no policy requirements regarding renewable energy provision.

While some of these topics are covered in different policies across the Plan, it is important that their application is directly spelt out as requirements in site specific policies.

In CPRE Leicestershire's view, this policy does not meet the tests of soundness, and requires considerable modification if it is to do so. As a result, we object to their inclusion currently in the Plan and to the allocation of this site for development.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local

Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We do not offer any specific alternative wording as, in our view, the policy should be withdrawn.

However, we noted the lack of strategic detail, for example, about transport provision, in this policy. If it remains, we do not consider it gives adequate guidance to ensure the development is delivered sustainably or in line with other policies in this plan, such as Policy T01, DQP01, and CCFR01 or statements such 15.10 on Biodiversity Gain principles.

To make Policy SL03 sound requires it to set requirements with regard to sustainable transport, design, access to town and local centres, biodiversity on the site, links to green spaces and countryside and energy and climate change as well as to housing and development requirements.

(Continue on a separate sheet /expand box if necessary)

**Please note** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

 A representative of CPRE Leicestershire

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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CPRE is questioning an important element of the Plan document - policies SL01, SL03 and SL04 - and its position and argument should be heard at the Examination into the Plan as a particular viewpoint which differs from that of the Council.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Leicestershire**

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input checked="" type="text" value="√"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Leicestershire objects to paragraphs 4.3-4.6 which relate to the Strategic Growth Plan and the Statement of Common Ground. We do not believe that it meets the tests of soundness:

**Positively prepared** – the SGP is dated and no longer consistent with achieving sustainable development;

**Justified** – the SGP needs reviewing and this should be reflected in the plan\*

Our objection should also be read in the context of our objection to SL01 which sets out why the SoCG does not reflect up-to-date housing information.

The Strategic Growth Plan was published in September 2018. It was not subject to any formal examination and Leicestershire CPRE was critical of it at the time, including the extended timescale involved which increased the uncertainty in relation to housing and employment needs.

Since then, the economic situation has changed, not least because of the pandemic and other global impacts.

The housing requirements have also changed.

Furthermore, the SGP paid little attention to Climate Change or biodiversity and landscape issues and so cannot now be considered to represent a balanced long-term strategy,

The SGP also placed too much reliance on strategic growth areas and aligning employment land and housing, without considering fully what would be the most sustainable development pattern, in particular increasing housing in urban areas, as is identified, for example, by the Central Development Area Housing report.

In our view the SGP is now out of date and should not be relied on until it is reviewed, something we have previously advocated.

I also note that there is a wording error in the list councils in the existing Para. 6. Oadby and Wigston Borough Council is listed twice and Charnwood is not listed.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The following wording is suggested to address these issues, although this is provided to be helpful and further refinement may be required which we would be happy to discuss with the Council.

### ***The Leicester and Leicestershire Strategic Growth Plan***

*4.3 This Local Plan covers the period to 2036 in the context of the Strategic Growth Plan (SGP). That was intended to enable effective cooperative working with other local planning authorities in the Leicester and Leicestershire Housing Market Area (HMA) over the plan period but was not subject to a formal Examination.*

*4.4 The Strategic Growth Plan was prepared by the ten partner organisations in Leicester and Leicestershire to provide a long-term vision that addressed the challenges that the area faces, and the opportunities presented for growth.*

*4.5 However, the plan is now out of date and needs to be reviewed to ensure it can set out an agreed strategy for the period to 2050, which is realistic and consistent with a net-zero emissions target which can be delivered through Local Plans.*

*4.6 The key strategic planning issues affecting Leicester and Leicestershire are as follows:*

- *Securing major strategic infrastructure investment to support planned housing and economic growth*



- In declaring a climate emergency, ensure that development in the city achieves very low carbon dioxide emissions *and contributes to achieving Net-Zero*
- Meeting, *as far as possible*, the requirement for housing across the Strategic Housing Market Area and thus accelerating the delivery of new homes
- Meeting, *as far as possible*, the need for employment land across the Functioning Economic Market Area (FEMA)
- *Ensuring* substantial housing and employment growth *are located where* the need to travel is reduced *and* with enhanced opportunities to use public transport and active travel methods
- *Meeting long-term future housing and employment land where it can best deliver sustainable development*
- Encouraging healthy and active lifestyles to improve the health and wellbeing of local residents
- Working to enhance the natural environment including green infrastructure, biodiversity and nature recovery

*4.7 To ensure that the Leicester and Leicestershire HMA housing and employment need is fulfilled up to 2036, the Leicester & Leicestershire Statement of Common Ground on Housing & Employment Need (June 2022) was produced and agreed by the following local authorities within the Leicester and Leicestershire HMA:*

*Charnwood Borough Council  
North West Leicestershire District Council  
Leicestershire County Council  
Blaby District Council  
Oadby and Wigston Borough Council  
Melton Borough Council*

*However, the up-to-date evidence which supports Policy SL01, means that the SoCG will need to be reviewed, as the level and distribution of unmet need has changed.*

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Leicestershire**

3. To which part of the Local Plan does this representation relate?

Paragraph	6.1 to 6.7	Policy	CCFR01 & CCFR02,	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Leicestershire objects to paragraphs 6.2 to 6.7 as currently drafted and Policies CCFR01 to CCFR02. We do not believe they meet the tests of soundness because

- **Positively prepared** – fails to link these policies to an overall Strategic Climate Change Policy and demonstrate how they will make a difference
- **Justified** – provides an incomplete justification for policies
- **Effective** – lacks evaluation of how policy and delivery expectations will make a difference to the reduction of carbon emissions

**This objection should be read in conjunction with our representations on Chapter 3 Vision for Leicester and to the Policies TO1 and TO2 and relevant supporting text.**

In support of this objection, we make the following observations:

Strategic Climate Change Policy

1. For CPRE Leicestershire, Climate Change is a key issue that needs to be addressed in Local Plans. The following observations need to be seen in the context of our representations to Chapter three. Put simply, our view is the Plan, both in its Vision and in the way policies are set out, fails to recognise Climate Change as a key strategic planning priority. We are seeking modifications that would embed a comprehensive Strategic Climate Change Policy into this Local Plan. Each chapter, such as this on Climate Change and Flood Risk, would then build upon an overarching policy by setting out more specific policies to deliver particular parts of the overall strategy. In our view, this would constitute a more positively prepared approach.

#### Paragraphs 6.2 to 6.7

2. As the lead chapter on climate change, we find the background part of the chapter particularly weak in setting the overall scene for addressing climate issues. This is concerning as para. 6.2 acknowledged that ‘concerted action’ is required to meet the grave threats climate change represents. There is no reference back either to objective 2 on climate change or to objective 9 about sustainable transport.
3. There is confusion at the heart of this chapter. Despite references to wider dimensions of climate change, such as ambitions for net zero carbon emissions, which should also relate to emissions from transport, this chapter is really about a narrower set of issues relating to developments, building standards and minimising operational energy use and emissions. The title of the chapter does not help,
4. In addition, para 6.5 notes that policies in this chapter “are aimed at addressing climate change” and that “to be most effective they must be applied alongside policies in other relevant policy areas” which are then listed and scattered references to climate change appear across the Plan. Other than saying that these policies exist, there is no attempt here to identify how and what they contribute individually, and more importantly jointly, to addressing the multi-faceted dimensions of climate change. Despite what is said in para. 6.5, this suggests that the council, in the context of the Local Plan, still thinks about climate change in terms of separate discrete issues.
5. More importantly the Climate Change policies fail to address either the quantum of development or the distribution of development. Since these are key to the Plan and are the areas in which the Plan is likely to have the most long term influence on sustainable development any policy chapter in relation to Climate Change will be deficient without a policy that addresses them and this is why we

are calling for a strategic policy on Climate Change.

6. In para 6.4, reference is made to the City Council's ambition for Leicester to become carbon neutral by 2030 or sooner and in para 6.7 for Leicester "to achieve net zero carbon emissions by 2030, which requires greenhouse gas emissions to be reduced as much as possible." It is not clear how far this is a hope or a strategic-level carbon reduction target to be achieved by 2030. Ending the sentence with the vague requirement for 'greenhouse gas emissions to be reduced as much as possible' does not help.
7. Chapter 6 mainly focuses on building standards, energy use and adaptation to climate change rather than on wider mitigation concerns, despite its title. Policies CCFR01 through to CCFR05 set out a mixture of requirements for developments and buildings to minimise carbon emissions by improving energy efficiency, use renewable energy sources and technologies as well as removing fossil fuels as an energy source.
8. There is an expectation that this combination of policies will contribute to the delivery of significant reductions in carbon emissions by 2030, now less than eight years away. While these policies set expectations for action, they do not demonstrate how much of a difference they will make, which is particularly important if they are being judged against a target or ambition such as achieving net zero by 2030. Our criticism is that the Plan focuses on the inputs in the form of various policies and requirements but it fails to discuss or evaluate the outcomes that will be achieved and the difference they will make.
9. The rather casual way in which the net zero ambition appears in the Plan suggests the Council does not fully recognise the difficulties of achieving net zero carbon emissions by 2030. As CPRE in a recent report, *Climate emergency: time for planning to get on the case*, argues such an ambition involves "a monumental challenge, to which every single development decision must contribute." On average, the councils studied for the report needed "to reduce per capita CO2 emissions by around 9% every year in order to meet their net-zero commitments." There is no indication in the Plan of how much Leicester would need to reduce its annual per capita emissions per annum.
10. The difficulties of Leicester achieving net zero by 2030 are also set out in a report, *Leicester Carbon Neutral Road Map* commissioned by the City Council, and not included in the Local Plan consultation website Evidence Base. This states that the most ambitious scenario would require measures such as 50% of journeys to be walking or cycling and bus use would have to be tripled over the next eight years with no further increases in energy demand or GHG emissions. This would require a step change in the mindset of the Council and others, both

in terms of scale and urgency. It recognised that the Council has a strategic role in demonstrating leadership through its planning powers and facilitating collaboration with others.

11. The Leicester Enhanced Bus Partnership Plan proposes an expenditure of £169m over just three years with a further £125m over the following five years subject to funding. However, the target for the EBPP is to increase passenger numbers by just 9% from the 2018/9 level; this would be similar to where it was in 2010/11. Taking into account proposed development and population increase this shows that buses are not going to achieve any significant modal shift away from cars even with very substantial funding that is not guaranteed.
12. In the light of these observations, CPRE Leicestershire concludes that this section of the Plan does not meet the tests of soundness. With such a weak discussion of key issues, it cannot be seen as having been positively prepared and it does not meet the test of effectiveness as it lacks evaluation of how policy and delivery expectations will make a difference to achieving the reduction of carbon emissions.

#### Policies CCFR01 and CCFR02

13. CCFR01 states that development should be designed to minimise operational energy use and emissions but this is clearly related to buildings, not the travel that the proposed development will generate. This also appears to be the same for Policy CCFR02 in terms of the consideration of whole life carbon emissions.

#### Modification

14. In terms of a modification, we do not offer specific wording for changes we see as important. Rather these paragraphs need to be rewritten with a more specific outline of the key issues. In particular, the linkage between the location of development, planning, travel and transport and climate change and carbon emissions needs to be highlighted.
15. Better still would be the inclusion of a chapter incorporating a Strategic Climate Change Policy which discusses Climate Change as a planning issue in Leicester across its multi-faceted dimensions.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of

any policy or text. Please be as precise as possible.

In terms of a modification, we do not offer specific wording for changes we see as important. Rather these paragraphs need to be rewritten with a more specific outline of the key issues. In particular, the linkage between the location of development, planning, travel and transport and climate change and carbon emissions needs to be highlighted. Better still would be the inclusion of a chapter incorporating a Strategic Climate Change Policy which discusses Climate Change as a planning issue in Leicester across its multi-faceted dimensions.

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

 Yes – a representative of CPRE Leicestershire

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

CPRE is questioning an important element of the Plan and participation in the examination would provide the opportunity to discuss its view and an approach which differs from that of the Council.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Leicestershire**

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Leicestershire supports the creation of a comprehensive sustainable transport network that will serve proposed and existing development and help to demonstrate that the plan is contributing to the mitigation of climate change, reducing the impact of traffic and avoiding the need for additional road capacity and parking.

It is not clear whether Policy T01 refers to the development of a sustainable transport network in its own right or to other types of development in "suitable locations", which are not defined. In the latter case it considers they will be "supported" if they "promote" sustainable transport by reference to "ensuring" a list of ten statements. The list includes weak, unclear words like "encouraging"; "consideration"; promoting "opportunities"; "proactive" measures are put in place to "help address" climate change"; "safety of all users" being a "primary consideration"; and "healthy living".

### Sound

We consider that this policy demonstrates that the Plan is not positively prepared. Policy T01 does not explain how suitable locations would be identified or how the ten items would influence the degree of "support".



The Plan as a whole does not demonstrate commitment to the need for a really effective and extensive sustainable transport network although it is clear that there are currently many difficulties that need to be overcome to achieve this. This objection needs to be considered having regard to our objections to the other policies as there is a common theme; notably the failure to demonstrate a truly sustainable and deliverable transport strategy. A notable failure is the promotion of a multi-storey car park at the railway station and no desire to provide an effective bus / rail interchange there instead (16.29).

### **Justified**

We do not believe the plan has been justified using appropriate evidence or analysis of the alternatives. What little has been presented is not convincing.

In our view all Local Plans should show serious consideration or analysis of the facilities or other measures which could reduce the need to travel. Many of the Leicestershire Districts have located large proportions of their development in locations where most people will consider there are no suitable alternatives to cars. The now outdated Leicestershire Strategic Growth Plan tends to support this approach. The three highway authorities: Leicester, Leicestershire and National Highways have all demonstrated a preference for road schemes that increase capacity claiming it will mitigate congestion even though the delivery of such projects is not guaranteed and any mitigation is often quickly overwhelmed by induced traffic growth.

The outer areas of Leicester are very similar to areas in other districts further from the city in terms of car ownership and use. The 2021 Census shows that the proportion of households without a car in Leicester has reduced from 40% in 2011 to 33%. The 2011 Census confirmed the huge dispersion of journeys to work and the increasing length of such journeys. Most of the longer journeys would be difficult or impossible to make using public transport. Cycling is not perceived to be attractive for shorter distances. However, other countries show how this can be made attractive. Active Travel England now has this task and it will become a statutory consultee on planning developments above a certain size in June 2023.

Covid caused a significant reduction in bus use which has not recovered. Service cuts are inevitable without ongoing government support and this can't be assumed. Bus-deregulation is an ongoing problem preventing much better integration.

While the Enhanced Bus Partnership Plan notes that it will deliver a series of legally committed schemes this comes with the caveat (16.2) of **funding availability** and there is no guarantee of this. The expectation is that despite over £200 million of future expenditure on buses and infrastructure it expects that patronage by 2030 will only get back to a similar level to that last seen in 2012.

Hardly any recent developments have been designed to facilitate good public transport penetration and operation; many have been put in places where the prospect of any form of useful public transport is remote. Given the desire to make buses more attractive we note, for example, that no buses serve the recent development at Ashton Green.

The provision of bus services to a new development cannot be guaranteed even if provision is made for them. Where funding for bus services has been sought through S106 Agreements this has been time limited with a cost ceiling. Bus services have generally not been provided from the outset. There is a very high probability that most new housing developments will only be seen as attractive for those with cars. This is compounded by the location of other facilities including employment, schools, hospitals etc in places that also fail to provide good alternatives to a car.

The bus proposals mainly concentrate on journeys to the city centre which is already served by many buses. It fails to tackle the much higher number of journeys which start and/or and finish away from the "Mainlines" routes.

### **Effective**

Despite many previous statements and policies over decades to prioritise public transport, walking and cycling this has not been effective in terms of delivery or outcomes. There is no evidence to suggest this Plan will be any more effective.

There is no guarantee that the proposed measures could be delivered anyway because there is no clarity regarding funding. The relatively small amount of anticipated funding from the Workplace Parking Levy proposal (16.14) will not arise now that has been abandoned. It was not evident that any revenue raised from WPL would be used effectively or that it would, or could, provide an acceptable alternative for the 80% or more people who work outside the city centre.

### **In line with National Policy**

Para 16.2 correctly states that **good land-use planning and transport go hand in hand**.

National Policy Statement for National Networks is currently being reviewed. The current version produced in 2014 effectively discounted the need to consider carbon emissions but National Highways is now looking to reduce the generation of traffic and has stated that future funding will need to prioritise road maintenance over new roads.

DfT has yet to publish its Guidance on LTPs and it seems unlikely that the final LTP

will be prepared before 2025. However, we note that the some unpublished guidance was available for the draft LTP. Presumably the reference to the 'Leicester Transport Plan' (16.20) is meant to be to the 'Draft Leicester Local Transport Plan'.

We consider that the most important national policy in this regard is achieving net zero carbon emissions, however, we also need effective measures to reduce congestion and improve air quality. This will only happen if this policy is strengthened.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Plan must be developed around a sustainable transport network that genuinely contributes to the mitigation of climate change and the impacts of traffic. Transport has been identified as one of the major contributors and it is widely recognised that this can only be achieved by a reduction in travel and a switch to vehicles that produce less carbon during use, require less carbon to manufacture and do not require carbon intensive infrastructure.

The Plan must be modified to make it clear that reducing the need to travel and truly sustainable travel underpins the Plan and takes precedence in decision making. This will require some extensive modifications backed up by a robust analysis.

In particular the opening of T01 should be strengthened to put more onus on the developer to show their location is sustainable. We suggest the following:

*Development will only be supported in suitable locations, where it can be robustly demonstrated that development will promote and enhance sustainable transport, which will be viable in long term, ensuring that: .....*

A list that focuses on a) priorities, b) timescales, and c) deliverability is required. Is it about development of a sustainable transport network or about development in suitable locations?

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

Yes – a representative of CPRE Leicestershire

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Because the issue of transport policy and direction is fundamental to the creation of a truly sustainable environment. Development lasts for decades or centuries and therefore it is necessary to take a long term view.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## Part B – Please use a separate sheet for each representation

Name or Organisation: CPRE Leicestershire

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Leicestershire objects to Policy T02 as drafted. We do not believe it meets the tests of soundness.

This objection needs to be considered having regard to our objections to the other transport policies. They have a common theme: notably the failure to demonstrate a truly sustainable and deliverable transport strategy that will mitigate climate change.

### Positively Prepared

The current wording of this policy is wide open to interpretation. The words highlighted with bold emphasis in the proposed policy are weak, vague or are not defined. The policy refers to an **expectation** for the end of the plan period and to targets that have yet to be established.

### ***Policy T02 Climate Change and Air Quality***

*By the **end of the plan period**, it will be **expected** that implementation of the council's transport plans and policies will:*

- a) **Deliver against the council's climate change targets and commitments (to be established, following the climate emergency consultation)***

*b) Ensure air quality in Leicester will progressively improve, below UK nitrogen dioxide targets towards the 2021 WHO targets, and **delivers against emerging fine particle PM2.5** commitments. **Major** development proposals will be **expected to take account of future** supplementary planning document on air quality*

*This will be achieved by:*

- c) **Prioritising** sustainable modes of transport, including cycling, walking and public transport*
- d) **Increasing the uptake** of low emission vehicles, by requiring new development to **make provision** for zero emission vehicle (sic)*
- e) Requiring all major developments located close or within the Air Quality Management Areas (AQMA), through an air quality impact assessment:*
  - To demonstrate that there is not an **unacceptably detrimental** effect on air quality and*
  - Meet the requirements of the council's Air Quality Action Plan and any future supplementary planning guidance*

#### Justified

No information is provided to show the extent to which the policy will deliver against the council's climate change targets and commitments which it also states are yet to be established. No information is provided to show or it will deliver against fine particle PM2.5 commitments, which are not stated.

#### Effective.

No information is provided to show how this policy as drafted will contribute to the legal requirement to demonstrate that the Local Plan will contribute to the mitigation of climate change as required by the Planning and Land Compensation Act 2004 Section 19 (1A).

#### Consistent with National Policy

Given the declarations by Government of a climate emergency and its commitment to Net Zero by 2050, the Plan should have regard to higher level government policies and targets.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We consider that the mitigation of climate change must include an overarching priority over all other policies leaving no room for misunderstanding or interpretation.

Changes in wording are required to strengthen the policy:

1. Words **(to be established, following the climate emergency consultation)** should be deleted and the supporting text should explicitly reference the relevant targets and commitments.
2. In b) the sentence **“Major development proposals will be expected to take account of future supplementary planning document on air quality”** should be amended from ‘will be expected’ to be ‘will be required’.

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Leicestershire**

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Leicestershire objects to the inclusion of paragraph 16.59 in the text of the Plan. It does not meet the test of soundness on the grounds that it is no longer up to date.

1. The Strategic Growth Plan was published in September 2018. It was not subject to any formal examination and Leicestershire CPRE was critical of it at the time. Our objection to Paras 4.3-4.6 set out why the SGP is no longer up to date and should be revised.
2. Our criticisms were that the extended timescale to 2050 involved increased the uncertainty in relation to housing and employment needs. Furthermore, the SGP paid little attention to Climate Change or biodiversity and landscape issues and so cannot now be considered to represent a balanced long-term strategy, especially in the light of declarations of climate emergencies and commitments to the Net Zero.



3. Among the numerous issues we identified within the SGP is the aspiration for a 40km long Expressway south and east of Leicester. Support for development in locations on that route (which is not within this Plan) would heavily rely on car use. This approach is not consistent with the need to mitigate climate change.
4. Para 16.59 goes on to speculate about the expressway to the South and East of Leicester. That scheme was in the SGP but subsequently Midlands Connect has withdrawn from promoting it. It is not in any forward planning by National Highways and so does not appear likely to happen in the form perceived.
5. Any development proposals along that corridor would be outside the Leicester Plan and any local infrastructure provision to support them would be a matter for the relevant authority. We also note that the scheme is not included in the list of schemes in Appendix 4 to this Plan for the simple reason that it is not required (or even useful) to deliver this plan.
6. Para 16.59 also gives the impression that this scheme is far more likely than it is. We do not consider there is any reason to include it in the Leicester plan so the second part of Para 16.59 should simply be deleted.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We have set out our objection to reliance on the SGP.

Rewording is required to para 16.59:

*16.59 Strategically, major infrastructure improvements have previously been identified within the Midlands Connect Strategy, which includes the A46 improvements in the Syston area and M1 improvements to Leicester Western Bypass. We will review these to assess how much they remain consistent with achieving net zero carbon emissions, and whether they will help ease congestion and support future growth. (rest of para deleted)*

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Leicestershire**

3. To which part of the Local Plan does this representation relate?

Paragraph	Mainly 16.57 to 16.62 and Appendix 4 Transport Infrastructure	Policy	T06	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Leicestershire objects to Policy T06. The grounds for this objection are that the Infrastructure List in Appendix 4 and much of the text in Chapter 16 does not demonstrate that sufficient priority is being given to a) the prioritisation of sustainable transport over b) the improvement of highways infrastructure. Proposals for the provision of additional infrastructure to increase road capacity in order to try to cater for increased travel are inconsistent with the need to demonstrate that the Plan will contribute to the mitigation of climate change. As such it fails to meet the tests of soundness.

Our objections in connection with Chapters 3 and 6 argue the need for tackling Climate Change to be a strategic priority of the Plan. This objection needs to read in conjunction with those to Policies T01 and T02.

Positively prepared

This policy proposes various highway infrastructure measures to mitigate the impact of development but this appears to arise from the use of traffic modelling not a

thorough investigation of all the things which could help to reduce travel both in the design and operation of new developments and in the management of what already exists.

We consider that there has been far too much reliance on the use of traffic modelling, (Para 16.61). This largely assumes a continuation of past trends which are no longer appropriate or consistent with mitigating climate change. We suggest policy should be based on desired outcomes and the application of the most cost-effective measures that can be applied quickly to reduce the need to travel and avoid the need for additional road capacity within the city.

Paragraphs 16.8 to 16.10 provides the vision, although we would question whether the proposals for buses or the railway station will be able to demonstrate they are good value for the substantial sums of money proposed.

#### Effective

The Infrastructure Plan lacks detail with regard the location or the nature of many of the interventions which leaves it open to interpretation. It is not clear where the balance of funding lies between increasing road capacity and prioritising the alternatives.

The plan fails to show how the different measures would contribute to the reduction in travel or indicate what the overall impact would be. The wording makes it clear that there is no certainty regarding the size or source of funding and delivery is uncertain.

#### Consistent with National Policy

In other responses to this Plan, we have argued that the mitigation of climate change should be a strategic priority for the plan.

In the light of the declaration by Government of a climate emergency and its commitment to Net Zero by 2050, the Plan should have regard to broader and higher level government policies and targets than just the NPPF.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Modifications:

1. The Policy wording of b) should be revised.  
Revise to read as follows:  
b) Alteration of highway infrastructure only where necessary to deliver effective sustainable transport which would make walking, cycling and buses more attractive or for road safety.  
Delete existing b)
2. Revision of Infrastructure List in Appendix 4.
3. Less emphasis on the assumption of a continuation of past trends traffic modelling and infrastructure decisions.

(Continue on a separate sheet /expand box if necessary)

**Please note** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

Yes, A representative of CPRE Leicestershire

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The infrastructure should help to deliver key priorities. CPRE is questioning important elements of the Plan and participation in the examination would provide the opportunity to discuss its view and an approach which differs from that of the Council.

**Please note** *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

## Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Leicestershire**

3. To which part of the Local Plan does this representation relate?

Paragraph	18.2 to 18.10 and 16.59 to 16.62	Policy	DI01	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Leicestershire objects to Policy DI01 and to paras. 18.2 to 18.10 and 16.59 to 16.62. We do not believe these meet the tests of soundness.

At the core of our objection is a concern about the emphasis given to the provision of new highway infrastructure, especially new road capacity. In support of this objection, we offer the following observations:

### Positively Prepared

1. CPRE Leicestershire considers that the Infrastructure Delivery Plan (Appendix 4) and Policy DI01 do not demonstrate that the Plan has been 'positively prepared' with regard to ensuring that new developments contribute to the mitigation of their impact.
2. This is particularly the case in terms of avoiding the need for additional highway infrastructure that would facilitate an increase in travel which would cause

additional congestion and environmental damage. The Infrastructure Plan includes many items that would appear to be inconsistent with the need to make the best use of any funding and noting that the creation of new transport infrastructure that facilitates increased road capacity should not be a priority.

3. Paragraph 18.5 refers to the Strategic Growth Plan and longer term strategic needs within Leicester and Leicestershire. Our objection to Paras 4.3-4.6 set out why the SGP is no longer up to date and should be revised. Among the numerous issues we identified within the SGP is the aspiration for a 40km long Expressway south and east of Leicester. Support for development in locations on that route (which is not within this plan) would heavily rely on car use. This approach is not consistent with the need to mitigate climate change.
4. This paragraph suggests that the concept of large scale strategic highway infrastructure for Leicester and Leicestershire, and its funding and delivery, is still seen as important. We suggest that there is strong likelihood for this to feature major roads which facilitate car travel.
5. 18.8 states that growth must be supported by infrastructure and facilities which are delivered at the appropriate time in conjunction with seeking new infrastructure to support sustainable growth. 18.10 notes that Appendix 4 only provides some of the detail and that "it is the intention of the council to produce a supplementary planning document following the adoption of this plan." We do not consider that this provides sufficient detail regarding the scope or delivery of the measures that will be sought.
6. Our experience is that measures are not always defined or delivered and the plan is not clear enough as to what will be sought or prioritised. DI01 indicates that "infrastructure necessary to support new development will be provided and will be available when first needed, to serve development's occupiers and users and /or to mitigate adverse material impacts." This has been notably lacking at Ashton Green and there does not seem sufficient commitment to ensuring that this is rectified and not repeated.

#### Paragraphs 16.59 to 16.62

7. According to these paragraphs, strategic transport infrastructure 'improvements' that affect Leicester are being identified through ongoing work in connection with Midlands Connect Strategy, the Strategic Growth Plan (SGP), a Strategic Transport Assessment into the transport implications of proposed future development and transport modelling by the City and Council Councils and

National Highways.

8. With the SGP and the Midlands Connect Strategy, in particular, there is an emphasis on highway infrastructure measures to improve road capacity. This is very evident in the SGP's proposed development to the South and East of Leicester and the required associated road links around and into the city.
9. Although there has been talk of major works, referred to in para 16.59, to increase the capacity of the M1 and A46, the suggestion that this would ease congestion is not borne out by experience. The argument that this would support future growth is also misplaced since it is already evident that developments already planned are likely to absorb any additional capacity unless steps are taken to reduce the level of traffic generated by them and more generally. The prospect for solving the problems on the M1 between Junction 21 and 21a through a construction project is essentially zero.
10. Para 16.59 goes on to speculate about the expressway to the South and East of Leicester. That scheme was in the SGP but subsequently Midlands Connect have withdrawn from promoting it. It is not in any forward planning by National Highways and so does not appear likely to happen in the form perceived. Any development proposals along that corridor would be outside the Leicester Plan and any local infrastructure provision to support them would be a matter for the relevant authority. We also note that the scheme is not included in the list of schemes in Appendix 4 for the simple reason that it is not required (or even useful) to deliver this plan. Para 16.59 also gives the impression that this scheme is far more likely than it is. We do not consider there is any reason to include it in the Leicester plan so the second part of Para 16.59 should simply be deleted.
11. Although the last sentence of para. 16.60 refers to "an analysis of opportunities to maximise sustainable transport solutions" it seems very likely that the Strategic Transport Assessment has so far failed to embrace this fully or the realities of climate change, future funding constraints or the need to reduce travel more generally.
12. With regard to transport assessment and modelling referred to in para 16.61, the experience of Charnwood Borough Council is not enormously encouraging. Various outputs of a seemingly extensive modelling process, carried out for the Charnwood Local Plan, have led the three Highway Authorities to propose numerous highway projects that are intended to increase road capacity to mitigate some congestion. It was claimed that all of these were essential to mitigate the impact of proposed development, including the four strategic sites



within the city. There is now no prospect of the funding required for these projects.

13. An argument was also put forward that without these projects traffic will be displaced onto lower standard roads. The purpose of this is clearly to bolster up the claim for the preferred approach regardless of whether it can be funded or is contrary to the need to mitigate climate change.
14. The use of modelling is extremely questionable as it relies on assumptions based on previous behaviour. If we are serious about mitigating climate change then we are going to need to be radical. We need to forget modelling and just decide how to mitigate climate change and reduce travel and get on with making it happen.

### Conclusion

15. Although there are brief references to sustainable transport, there is a much stronger focus on provision highway infrastructure that increases road capacity. The observations above also refer to the lack of effectiveness of 'improvements' to road capacity.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We have outlined in our other representations why we consider that the plan needs to prioritise the reduction of travel to mitigate climate change and reduce congestion and made suggestions regarding modifications. We have also set down our objection to reliance on the SGP.

Rewording is required including to para 16.59:

*16.59 Strategically, major infrastructure improvements have previously been identified within the Midlands Connect Strategy, which includes the A46 improvements in the Syston area and M1 improvements to Leicester Western Bypass. We will review these to assess how much they remain consistent with achieving net zero carbon emissions, and whether they will help ease congestion and support future growth. (rest of para deleted)*

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

Yes – a representative of CPRE Leicestershire

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

CPRE is concerned at the prioritisation of highway infrastructure that increases road capacity for car travel rather than for sustainable modes of travel.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.