

LEICESTER LOCAL PLAN 2020-2036 EXAMINATION

MAIN MATTER 12 – OPEN SPACE, SPORTS AND RECREATION

GREEN WEDGE

REPRESENTOR ID: 334

GREYROCK INVESTMENTS LTD
LAND SOUTH OF EVINGTON LANE

OCTOBER 2024



1 INTRODUCTION

- 1.1 This hearing statement has been prepared by rg+p in support of representations made on behalf of Greyrock Investments Ltd ('our client'). These relate to the ongoing promotion of land known as 'Land South of Evington Lane' ('the site').
- 1.2 To clarify our position, the site is owned by our clients and lies adjacent to The Leicestershire Golf Club, and it is their intention to redevelop the parcel of land to provide circa. 30 residential dwellings in a highly sustainable location, at a time of pressing housing need in the City. This land extends to approximately 0.42 hectares and is currently partially designated as being within the Evington Green Wedge.
- 1.3 The site has been presented to the Council on several occasions including two individual pre-application enquiries. Following these pre-application enquiries, our clients submitted a 'Call for Sites' submission and representations to the Regulation 19 (Pre-Submission Plan Consultation) stage of the merging Local Plan.
- 1.4 Therefore, this statement follows from this previous representation to the plan (Representor ID: 334) and should be read in conjunction with these submissions. This representation, due to the limited response it has received from the Council previously, has been appended to this Hearing Statement (**Appendix 1**).
- 1.5 For the avoidance of all doubt, we understand paragraph 40 of the Inspector's Examination Guidance Note in regard to 'omission sites'. Whilst our client's land interest is an omission site, representations and participation at the hearing session focus on what makes the submitted plan unsound, which in the context of this statement relates to the Council's approach to policies covering the Green Wedge.
- 1.6 rg+p welcomes the opportunity to appear at the hearing session to expand on the comments included in this statement and we have responded where appropriate to the questions highlighted within examination document EXAM 12. It is our intention to play an active role in the examination hearing sessions and assist the Inspector(s) and Council in forming a sound Local Plan.

2 ISSUE 12: HAS THE PLAN BEEN POSITIVELY PREPARED AND IS IT JUSTIFIED, EFFECTIVE AND CONSISTENT WITH NATIONAL POLICY IN RESPECT OF ITS POLICIES AND PROPOSALS FOR OPEN SPACE, SPORTS AND RECREATION.

General Questions on Open Space, Sports and Recreation

Policy OSSR01 – Green Wedges

Question 409 - In order to be effective, should Policy OSSR01 include a criterion requiring an ecological survey to be submitted alongside any planning application for development in the Green Wedge?

Answer No.

- 2.1 Whilst we understand the reasoning for adding such a criterion to the Policy wording, to preserve and improve the natural environment in the City, we do not consider it necessary to apply a criterion requiring an ecological survey to be submitted alongside any planning application for development in the Green Wedge (rg+p emphasis added).
- 2.2 The natural environment is a key material consideration of the planning system. This matter is rarely overlooked in modern development plans, environmental legislation and the determination of planning application. Specifying additional requirements to what is ostensibly a land use planning designation for an ecological survey to be submitted alongside any planning application places an additional burden which does not follow the strategic function of the policy. We strongly feel that the wording, as proposed, be retained and each application should be assessed on its own planning merits alongside other policies (already contained within Section 15 of the Submission Plan) with discretion available to the Council to request information later through positive engagement with applicants.

Question 412 – Is the extent of the Green Wedge justified and effective?

Answer No.

- 2.3 We understand, from a review of the evidence submitted in support of this development plan that the Council's 2017 and 2020 assessments of the Green Wedge have *"assess[ed] all the green wedge designations in the city at a micro-scale"* (rg+p emphasis added).
- 2.4 We understand 'micro' to describe something that is very small or localised, or in this to infer a great level of detail and or evidence. Our submission is that this statement is with all respect completely misplaced. We deduce that the Council refer to the 'Micro-scale' as a result of the sub-division of the strategic Green Wedge into Areas (Evington Green Wedge has been sub-divided into 4 areas). Whilst we do acknowledge that each area is 'smaller' than the entire Green Wedge designation, we contest that the methodology and subsequent assessment goes far enough in terms of the presentation of evidence. As a result, the Council's 'Micro-scale' assessment is not based on robust and consistent assessment. We are of the position that each parcel of land where amendments to the Green Wedge boundary are made should be clearly and consistently assessed with any alterations fully justified and robustly evidenced.
- 2.5 To support our position, we have conducted a review of the land forming each Area (A, B, C, and D) of the Evington Green Wedge: -
- Area A – Which is proposed to be removed entirely from the Green Wedge is formed of land owned entirely

by Leicester City Council.

- Area B – Is formed of a combination of land owned and operated by The Leicestershire Golf Club, a third party (Site 715 which is proposed to be removed from the Green Wedge as a site allocation), and our client's land (presented to the Council for consideration at Regulation 19 stage of the development plan process).
- Area C – Is formed of land owned entirely by Leicester City Council.
- Area D – Is formed of land owned entirely by Leicester City Council (Part of this land, Site 559, is proposed to be removed from the Green Wedge designation as a site allocation).

2.6 We consider the assessments of the Green Wedge, that have then formed the evidence base of the Councils Land designation and Green Wedge Policy, have not assessed each parcel of land robustly or consistently and consequently the policy as presented by the Council is not justified. This is confirmed by the Council grouping our clients land, which is a distinct privately owned parcel with its own specific characteristics alongside land owned and operated by The Leicestershire Golf Club and with further land owned privately by a Third Party south of the Golf Course (interestingly proposed as a site allocation within a strongly performing Area of the Evington Green Wedge). At no stage of this development plan creation has our client's land been properly assessed against the four strategic purposes of the Green Wedge despite it being impacted by revisions proposed by the Council to the Green Wedge boundary.

2.7 The Council have had ample opportunity to correct this issue. Our duly made Regulation 19 representations have clearly and succinctly set out the failings with the Council's evidence. This began with identifying the extent of changes to the Green Wedge within the policies map presented as part of the Regulation 19 consultation:



(See above (Left) – extract from Leicester City Council Policies Map, 2011; See above (right) extract from emerging Leicester Local Plan Policies Map, 2023).

2.8 Objections were advanced in relation to this and as part of our Regulation 19 representations, we submitted a detailed assessment of our client's land against July 2011 Joint Methodology (EB/OS/1). A summary table of the findings is provided (in line with EXAM 10) as a single page **Appendix 1**.

2.9 We invite the Inspector's to consider our evidence in this regard and visit the site as may be deemed necessary.

2.10 The Regulation 22 statement of consultation (SD/9) records our duly made representation at page 115. It states that:

Main Issues Raised	Rep ID (name of Statutory Consultee if applicable)	Council Response
Should include another criterion: '(f) where proposals will deliver essential infrastructure providing appropriate mitigation will be provided'.	318	This would run counter to the policy objectives.
Would like client's land to be removed from Green Wedge designation.	334	Noted. The Council's view is that the land should remain designated due to the quality of the green wedge.

2.11 The 'Atlas of Changes to the Policies Map" (2022) provided at SD/10 was 'produced to illustrate the changes that have occurred on the Policies Map when compared with the Proposals Map adopted in 2006'. It states 'The local planning authority will produce a final policies map following adoption of the plan, based on the Atlas of Changes'.

2.12 It is telling that the atlas of changes quantifies amendments to the Green Wedge to be 'in light of proposed allocations'. The amendment to our client's land is not in light of proposed allocations.

2.13 We submit that the Council's response to our representation is not based on any evidence as the Council have not at any stage presented any, despite being given opportunity to. This includes via the Inspectors' Initial Questions in December 2023 (EXAM 2). The Council's response at EXAM 3 to the initial questions provides no clarification on matters relevant to the Green Wedge. However, in the context of this examination, it is note that the Council have sought to retrospectively 'evidence' their position through document EXAM 17 which was published in September 2024. This document has not been subject to any public consultation and it entirely 'after the event'.

2.14 The Council have reasoned, in paragraph 2.15 of EXAM 17 that the redrawing of the boundaries of the Green Wedge in the location specific to our client's "rationalise the Green Wedge boundary so that it tracks the rear boundaries of properties 193 to 203 Evington Lane. This corrects technical mapping errors in the 2006 Proposals Map where the green wedge boundary is shown as a straight line cutting through the back gardens of properties 193 Evington Lane and 203 Evington Lane, as well as dividing the site at land read of 193 – 197 Evington Lane between green wedge and non-green wedge land".

2.15 Whilst we note the reason given by the Council, we do not consider the extent of the Green Wedge in this location to be justified and effective as a direct result of this reasoning, particularly given the content of our regulation 19 representations. We contest, that should the Council wish to, rationalise their technical error (from 2006 – some 18 years ago) in this development plan, they can do so but must undertake an assessment of our client's land against the four strategic purposes of the Green Wedge and its established published methodology. This assessment and its conclusions would justify the extent of the Green Wedge in this location of the Evington Green Wedge. To do otherwise, with ample opportunity being available, is completely inadequate.

2.16 Our position is that our client's land does not meet the purposes of the Green Wedge (as detailed and evidenced in our full representations) and modifications to the plan are necessary to rectify this error. If the Inspectors' are not minded to work towards such a modification then clarity in regard to the 'immediate' 'whole plan review' in respect of Green Wedge should be provided.

APPENDIX 1 – RG+P GREEN WEDGE ASSESSMENT

No.	Purpose	Rating	Notes
(1)	To prevent the merging of settlements.	1 (Does not meet purpose)	<p>The criteria for purpose (1) seeks to prevent development that would result in the merging of or significant erosion of a gap between neighboring settlements. Taking into consideration: landscape scale / pattern, topography, development patterns and views.</p> <p>Our client's land is sandwiched between two defined boundaries of land use. Immediately to the north residential development is evident. To the south, the site is bound by the readily recognisable boundaries to The Leicestershire Golf Club. The purpose of the Green Wedge is to prevent the coalescence of two settlements.</p> <p>The land is of a scale or character that plays no role in preventing coalescence. The main contributor, in Parcel B, is that of The Leicestershire Golf Club which acts as the physical barrier to coalescence of built development. Therefore, we conclude that our clients land does not meet the purpose of the 'Green Wedge'.</p>
(2)	To guide development form.	2 (Weak)	<p>The criteria for purpose (2) requires the land to have logical, defensible and readily recognisable external and intermediate boundaries that guide, rather than restrict the form of future development.</p> <p>Our client's land is sandwiched between defined boundaries. North built residential form and to the south private recreational space. Both boundaries are logical, defensible and readily recognisable external boundaries.</p> <p>The physical boundary to the Golf course also acts as a restrictive boundary to future development within the Green Wedge. The Golf Course also acts as the physical boundary that stops the merging of settlements. Here, unless the land is transferred and removed from the Green Wedge future development is restricted for private recreational uses. Our clients land serves no purpose to this private recreational space and with it adjacent to built form, the land designation acts as a restrictive land designation in this specific location of the City. This land is a suitable location for new residential development that can provide for circa. 30 residential dwellings to assist the delivery of Housing within the City.</p> <p>Therefore, we conclude that whilst some boundaries are logical the land is difficult to define or recognise as part of the 'Green Wedge'. Thus, the land designation restricts rather than guides future development form.</p> <p>Our assessment concludes that our clients land performs weakly against this purpose.</p>
(3)	To provide a 'green lung' into urban areas.	1 (Does not meet purpose)	<p>The criteria for purpose (3) requires that the land forms a strong connected corridor or network of green infrastructure which penetrates existing or planned areas of built form.</p> <p>Our clients land, when taken in isolation, does not form part of a connected Green Corridor or network of Green Infrastructure. To the north and east built form is evident. The sites southern boundary can</p>

			<p>be recognised as the boundaries to the Golf Course which can be classed as being part of a connected green corridor. Further, the land does not penetrate existing or planned areas of built form.</p> <p>We therefore conclude that our clients land does not meet the purpose.</p>
(4)	To provide a recreational resource.	1 (Does not meet purpose)	<p>The criteria for purpose (4) ensures that land in the Green Wedge provides a range of publicly accessible, formal and informal opportunities for recreation.</p> <p>Our client's land is not publicly accessible. Whilst a footpath runs along the northern boundary, as shown above, the path is not publicly accessible. Therefore, the land cannot provide opportunities for public recreation.</p> <p>Therefore, we do not consider our clients land to meet this purpose of the Green Wedge.</p>
	Total Average	1.25 (Does not meet purpose)	