



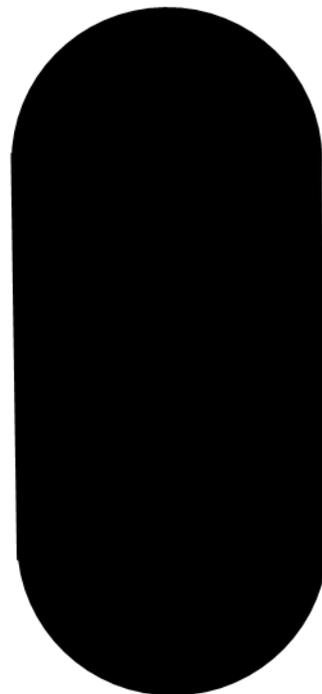
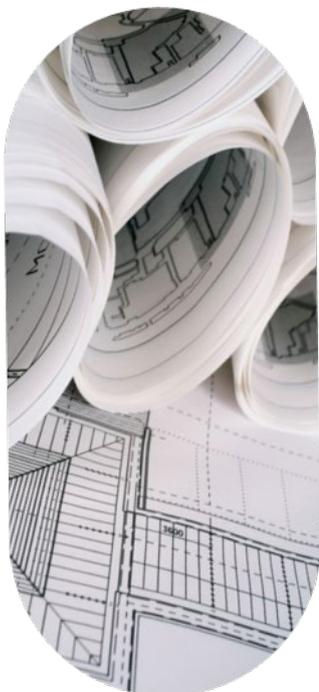
## Representations

Proposed Submission Draft Harborough Local Plan

Publication Version March 2025

Hallam Land and William Davis Homes

May 2025



1. The following representations are made in response to the Proposed Submission Draft Harborough Local Plan (March 2025) on behalf of Hallam Land and William Davis Homes in respect of their land interests at land North East and North West of Market Harborough (MH2 and MH3).

**Policy DS01 Development Strategy: Delivering Homes - Support**

2. Policy DS01 2 b) is justified, effective and consistent with national planning policy and therefore sound.
3. Housing growth at Market Harborough is justified and an appropriate strategy having regard to reasonable alternatives. Market Harborough is the largest town within the District and has the full range of services and facilities necessary to limit the need for residents to travel and to encourage the use of sustainable modes of travel in line with paragraph 110 of the Framework. Locating more growth in other settlements as an alternative to growth at Market Harborough would not promote a more sustainable pattern of development and would not be justified or sound.
4. The level of housing growth at Market Harborough is effective and deliverable over the Plan period. Market Harborough has delivered 959 homes in the first 3 years of the Plan period at an average of around 320 homes a year. Assuming that this rate continued for the remainder of the Plan period, it equates to a further 5,760 homes (320 x 18 years). That is well in excess of the planned number of homes of 3,358. The level of growth proposed is therefore deliverable by the market and the proposed allocations MH1, MH2 and MH3 can be delivered within the Plan period, whereby it is clear that an even greater amount of homes could be supported and delivered at Market Harborough.
5. Housing growth at Market Harborough is also consistent with national planning policy. Paragraph 77 of the Framework states that the supply of large numbers of new homes can often be best achieved by planning for larger scale development provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of modes of travel). Market Harborough has the infrastructure and facilities to enable a genuine choice of modes of travel. Further,



there are no assets of particular importance or areas protected by policies in the Framework that provide a strong reason for restricting the overall scale of development at Market Harborough in accordance with paragraph 11 b) i. of the Framework. Proposed allocations MH1, MH2 and MH3 are not constrained by the areas or assets listed in footnote 7 of Paragraph 11 of the Framework.



**Policy DS04 Development Strategy: Preserving and Enhancing our Heritage and Rural Character – Object**

6. Policy DS04 1. b) is not consistent with national policy and therefore not sound.
7. Paragraph 16 d) of the Framework requires policies to be clearly written and unambiguous so it is evident how a decision maker should react to development proposals.
8. The requirement for piecemeal or cumulative development to avoid gradual erosion and not compromise the integrity of Conservation Area and other heritage assets differs from the wording in Section 16 of the Framework. This could lead to confusion when an application is determined, and the wording of Section 16 of the Framework is preferred.

Proposed Change

9. Policy DS04 1. b) needs to be deleted or re-written to be consistent with the Framework.

**Policy DS05 Development Strategy: Supporting Strategic Infrastructure - Object**

10. Policy DS05 4. Developer Contributions is not effective or consistent with national planning policy and therefore not sound.
11. Policy DS05 4. requires contributions towards the provision of local and strategic infrastructure. There is no specific reference to contributions towards the land necessary for local and strategic infrastructure. If developers are to provide more land for infrastructure than is necessary to meet the needs of their development, other developers that benefit should contribute towards the cost of the land. This should be secured through contributions within a Section 106 Agreement in accordance with the wording of Policy DS05.
12. In addition, clarity is required on the approach the Leicestershire County Council (LCC) are proposing to take in terms of seeking developer contributions. Between May and June 2024, LCC held a consultation proposing amendments to the adopted Planning Obligations Policy, proposing several changes in how LCC seeks developer contributions. The proposed changes resulted in a number of objections with the approach by LCC challenged at the Charnwood Local Plan EiP. It is essential for the Plan to be sound there is transparency and an understanding of how infrastructure will be funded, which is viable and deliverable.

Proposed Change

13. Policy DS05 4. should be amended to include the requirement for developer contributions towards the provision and land for local and strategic infrastructure.



**Policy SA01: Site Allocations Schedule - Object**

14. Policy SA01 is not positively prepared and therefore not sound.
  
15. The Site Allocation Schedule states the number of homes to be provided on each site. This should be expressed as a minimum to ensure the housing need is met and to allow for flexibility at the Development Management stage to allow for more homes to come forward if considered appropriate.

Proposed Change

16. Policy SA01 Site Allocation Schedule should express 'Homes' as 'Minimum Homes'.

### **Policy SA03: North of Market Harborough - Object**

17. Although Policy SA03 is supported in principle as it allocates suitable land for development for the reasons set out below, objection is raised to the detailed wording on the grounds it is not consistent with national policy and therefore not sound.
18. Hallam Land and William Davis Homes control MH2 and MH3 and therefore support the identification of SA03 as an allocation for a new sustainable, residential-led mixed use development and consider it to be justified, effective, and consistent with national planning policy, and therefore sound.
19. Paragraph 77 of the Framework outlines that large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities.
20. SA03 is well located and can be designed and supported by the necessary infrastructure to be consistent with Paragraph 77 of the Framework as follows:
  - adjacent to the urban edge of Market Harborough, and bordered by residential and employment development, including the Key Employment Area at Harborough Innovation Centre which is an area of economic potential, with HM Prison Gartree and its expansion area further west;
  - well located and accessible to the existing residential and commercial areas of the town and Market Harborough Town Centre via the B4067 and existing pedestrian/cycle routes, and capable of including a genuine choice of transport modes;
  - well connected to existing and planned infrastructure at North West Market Harborough SDA which is now nearing completion and which will contain when completed a range of services and facilities, including bus services, community facilities, public open space, local centre and primary school;
  - free of significant environmental constraints and not covered by any designations that would preclude its development;



- available and owned or controlled by a national housebuilder (William Davis Homes) and national land promoter (Hallam Land);
- attractive to the market from a residential perspective as evident by the demand for homes on the North West Market Harborough SDA;
- able to deliver biodiversity net gain and other environmental benefits;
- able to better connect the area's history associated with nearby heritage assets, such as the Grand Union Canal;
- of sufficient scale to accommodate a mix of homes, open space, and retail and community facilities (including education provision) to ensure a sustainable community and a high level of internalised trip rates;
- capable of achieving a well-designed, sustainable place, with its own identity; and
- is deliverable and has the benefit of multiple potential access points enabling more opportunities for housebuilders to deliver development more quickly.

21. The allocation of SA03 is supported by the Sustainability Appraisal (SA). This outlines major positive impacts for health, social inclusion, services, housing and sustainable travel. Although negligible impacts are recorded for economic growth, there will be significant job creation within the local centre and schools. As set out in Paragraph 33 of the Framework, significant adverse impacts identified in an SA should be avoided, and if unavoidable then appropriate mitigation measures should be pursued. Significant negative/minor positive are recorded for biodiversity, cultural heritage and landscape. Mitigation measures are set out within the policy and careful masterplanning and design will ensure there are no significant negative impacts. The loss of greenfield land is unavoidable but compensated for due to the excellent sustainable credentials of the Site due to its location and connectivity.

22. Hallam Land and William Davis Homes have demonstrated through the submission of a suite of evidence base documents and previous representations that the Site is developable in accordance with the definition within the Framework.

23. The submitted Emerging Masterplans include provision for a local centre, mobility hubs, schools, formal and informal public open spaces, ecological enhancements, retained wooded character, appropriate buffer to the gas pipeline, all as per the



policies for the Site in Policy MH2 and MH3. These demonstrate that the Site can deliver the necessary development requirements as identified within the draft allocation. Hallam Land and William Davis Homes are confident the capacity of 1,450 dwellings on MH2 and MH3 is achievable with the presence of a high-pressure gas main and have engaged with the Health and Safety Executive.

24. The delivery of 1,350 dwellings (across MH1, MH2 and MH3) within this Plan period is consistent with Paragraph 77 and contributes towards a Plan that is sound. Footnote 38 of Paragraph 78 of the Framework supports the Council's allocation of around 350 of the homes beyond the end of the Plan period. Hallam Land and William Davis Homes have provided evidence to demonstrate that the Site can deliver a consistent supply of homes across the Plan period to help meet the needs of the District, in accordance with Paragraph 78 of the Framework.
25. Hallam Land and William Davis Homes are willing to support the Council as it prepares for the examination of the submission version of the Plan and prepare Statements of Common Ground as necessary to cover any objections raised during this consultation and a delivery programme.
26. Notwithstanding the support for the allocation of SOA3, there are minor objections to the wording on the grounds it is not consistent with national planning policy and therefore not sound. Paragraph 16 d) of the Framework requires policies to be clearly written and unambiguous so it is evident how a decision maker should react to development proposals.
27. Policy SA03 2. a) and the table below states the total number of homes to be provided and the estimated number during the Plan period. This should be expressed as a minimum to ensure the housing need is met and to allow for flexibility at the Development Management stage and during the Plan period.
28. Policy SA03 2. d) states the requirement for a replacement showground, MH2 states the requirement for a temporary relocation of the agricultural showground, and MH3 states that development is subject to the relocation of the existing agricultural showground as part of the wider development to MH2 or other appropriate location.



29. Land within MH3 is used intermittently as a showground. The land does not need to be vacated for development until 2031 based upon the Council's trajectory in Appendix 5, and therefore there is a significant period of time to find an alternative location. MH3 will therefore be developable within the Plan period. It is possible that an alternative location will be found outside of SA03 such that it will not be required to be accommodated, and for clarity, provision will only be required for a temporary period in either case. The policy should therefore be amended to refer to the need for a 'potential' replacement showground.

30. Policy SA03 5 MH2 c) should state:

*“Development may be required to facilitate the temporary relocation of the agricultural showground located on Land South of Gallow Field Road (MH3); for a period of up to 3 years from adoption of the Local Plan.”*

31. Policy SA03 1 MH3 a) should state:

*“Development of the site may be subject to the potential temporary relocation of the existing agricultural showground located on this site as part of the wider development of the North of Market Harborough to MH2 or other appropriate location for a period of up to 3 years from adoption of the Local Plan.”*

32. Policy SA03 3. e) concerns the presence of historic ridge and furrow. However, there is an inconsistency in the criterion between the first limb which requires the protection of such areas as a priority and the second limb which rightly requires assessment for heritage value and to be preserved and enhanced where appropriate. This criterion should be amended to remove the first limb for clarity and consistency with national policy..

33. Policy SA03 5. k) states that for MH2, residential development will be restricted to the southern part of the Site subject to the findings of future environmental assessments. In order to avoid ambiguity reference to the 'southern parts of the site' should be removed. This will ensure that a masterplanning approach as envisaged by the Draft Plan in Appendix 6 is realised. It will also ensure that community uses proposed on



site relate well to residential areas as envisaged by Policy DS05. The following wording for criterion k is proposed:

*“Subject to the findings of the above assessments, residential development will be restricted to where impacts from the animal rendering plant can be appropriately mitigated to avoid unacceptable impact on the amenity of future residents.”*

#### Proposed Changes

34. Policy SA03 2 a) should express homes as a ‘minimum’. Policy SA03 2 d) should refer to a ‘potential’ replacement showground. Policy SA03 5 MH2 c) should state Development ‘may need to’ facilitate the temporary relocation of the showground, for a period of up to 3-years. Policy SA03 3. e) should be amended to remove the first limb of the criterion . SA03 5. MH2 k) to be amended to remove reference to the *“southern parts of the site”*.
35. It has been acknowledged by Harborough District Council Officers that there is an error in the Stage 2 Infrastructure Delivery Plan (Arup, February 2025), which incorrectly refers to the provision of 12.208ha of outdoor sports facilities at MH3. As per the advice from Officers, MH3 should provide approximately 2ha of outdoor sports facilities, based on a calculation of 600 dwellings.

#### **Policy HN01: Affordable Housing - Object**

36. HN01 proposes a blanket requirement that mandates 40% affordable housing provision on all qualifying developments over 10 units. This would not be effective or justified.
37. While we support the objective of delivering affordable housing to meet identified need, the proposed threshold is overly rigid and fails to strike an appropriate balance between delivering affordable housing and the delivery of large strategic sites and the infrastructure elements that these sites will deliver.



38. The draft policy, as it is proposed, fails to reflect market realities, given the appraisal undertaken by Aspinall Verdi, overstates achievable sales values and thereby inflates the perceived development surplus. AV's assumption of an average open market sales value of £385.60/ft<sup>2</sup> across MH2 & MH 3 is optimistic. Sales evidence from Airfield Phase I - comprising Taylor Wimpey, William Davis, and other nearby schemes - clearly shows that a blended sales value of approximately £325/ft<sup>2</sup> is more realistic.
39. This significant overestimation inflates the residual land value, producing misleading conclusions. It is clear that there is a need for a flexible approach to affordable housing.
40. Additionally there are methodological concerns about the application of Benchmark Land Value (BLV). AV's application of BLV to Net Developable Area (NDA) is inconsistent with industry best practice and national guidance.
41. Paragraph 5.1 of the RICS Guidance Note (2019) on viability in planning is clear: BLV should typically be based on Existing Use Value plus a premium (EUV+) applied across the Gross Development Area (GDA) - not solely the NDA. This recognises that all landowners whose land is necessary for development must receive fair compensation, especially on large strategic sites where infrastructure and open space form a significant part of land take.
42. Brookbanks' assessment (enclosed with these representations), applying a £100,000/acre BLV across the GDA, follows the accepted interpretation of EUV+ and reflects the real-world expectations of willing sellers.
43. The policy also proposes late-stage viability reviews for sites over 500 dwellings. While reviews may have a place in certain cases, they introduce a high degree of uncertainty, and open-ended cost liability on the applicant for review work. Without policy details for any cap or mechanism for dispute resolution, this policy does not provide the necessary clarity required for development.

### Proposed changes

44. To ensure alignment with the National Planning Policy Framework (NPPF) paragraph 58, which states that planning obligations should be reasonably related in scale to the development, we recommend that the policy is amended to introduce a variable target of "Up to 40%" affordable housing, subject to site-specific viability and infrastructure requirements.
45. The policy should insert a clause recognising that large strategic allocations may justify a lower initial requirement due to infrastructure burden and phased delivery.
46. The section pertaining to reviews of viability in phased schemes should contain a cap to late-stage review costs and introduce dispute resolution. This would provide certainty to developers regarding the scope, cost, and governance of any viability review process.
47. By failing to accommodate genuine viability constraints and strategic infrastructure delivery, Policy HN01 risks constraining housing delivery at the allocated sites that underpin the Local Plan's growth strategy. As such, it is unsound under NPPF tests of effectiveness and justification and should be modified accordingly.

### **HN02: Mix of New Homes – object**

48. The principle of delivering housing that responds to the needs of the local population is supported, however, Policy HN02, as currently drafted, is overly prescriptive, inflexible, and fails to reflect market realities, site-specific constraints, and economic viability considerations. Without appropriate modifications, this policy restricts deliverability and undermines the Local Plan's overall housing objectives.
  49. HN02 proposes that all major residential developments must deliver a housing mix based on district-wide evidence, unless alternative evidence is accepted by the Council.
  50. While the Council's Local Housing and Employment Land Evidence Base provides a useful strategic overview, it cannot be determinative on individual sites. Housing need
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and demand vary significantly at the sub-market and localised level. Market absorption, local demographics, infrastructure capacity, and developer product profiles all inform what is deliverable and appropriate.

51. Furthermore, housing mix is linked to market conditions and build viability, particularly in the macroeconomic environment affecting build costs and material availability. Requiring developers to rigidly adhere to a borough-wide mix on individual sites may lead to over-supply of dwelling types with weak demand, ultimately resulting in slower build-out rates and delayed delivery.
52. Policy HN02 should be amended to have wording which allows site-specific market evidence to be given equal weight to district-wide need and clarify that market absorption and site-specific viability are legitimate reasons to deviate from the prescribed mix.
53. Policy HN02 requires 100% of homes to be built to M4(2) accessibility standards, with further requirements that:
  - 5% of all market homes must meet M4(3)A (wheelchair adaptable), and,
  - 10% of affordable homes must meet M4(3)B (wheelchair accessible).
54. This goes significantly beyond national policy expectations and introduces a blanket approach to accessibility that is neither viability-tested nor site-sensitive. In particular, M4(3)B homes require step-free, level access from parking to the front door and internally, often necessitating lifts in flatted schemes or large plots for bungalows. On constrained, sloped, or otherwise irregular sites, this would be physically impossible to deliver across the housing quantum sought.
55. Wheelchair-accessible dwellings (especially M4(3)B) add significant cost – not just in building fabric and circulation space, but also in land take, reduced densities, and modified servicing strategies. This has not been properly tested through examination of viability across the whole plan.

#### Proposed changes

56. The policy should amend the wording from "must meet M4(3)" to "should seek to meet", or "subject to site-specific viability and physical feasibility". A caveat should



provide that “Where the delivery of M4(2) or M4(3) homes is demonstrably unviable or impracticable due to topography, layout, or other physical constraints, alternative approaches to achieving accessibility may be considered.”

57. Policy HN02, as drafted, is not justified, not effective, and risks undermining the deliverability of sustainable housing sites across the district. Without appropriate flexibility to account for market realities, site-specific constraints, economic viability and evolving need over the lifetime of large developments, the policy will discourage efficient land use, and slow the delivery of much-needed new homes.

#### **Policy HN04 Housing Need: Supported and Specialist Housing**

58. Criterion 2 of HN04 requires that at least 10% of all residential development on sites over 100 units should be Specialist Housing. It is unclear whether the proposed requirements for accessible dwellings in Policy HN02 overlap with this requirement.
59. We support the provision of specialist housing but the blanket 10% requirement on strategic allocations to be specialist housing will have an impact on the viability of development and may also delay delivery depending on the demand and need for specialist housing. By its very nature, specialist housing is specialist and therefore of lower demand than general housing. Delays in delivery will also delay delivery of infrastructure and services that may be to the detriment of other objectives of the Plan related to access to services. The Council should consider making specific allocations for specialist housing.

#### **HN05: Self-build housing – Object**

60. We support the Council’s ambition to diversify housing delivery and meet evidenced housing need, including for self and custom build homes. However, we object to the prescriptive requirement within Policy HN05 that 10% of dwellings on all sites of 40 units or more must be provided as self or custom build plots, on the basis that the policy is operationally impractical, and unjustified by local evidence.
61. The policy lacks an evidence base that quantifies the projected demand for serviced self-build plots across Harborough District.



62. There is no distinction between self-build register entries and those people with means, finance, and readiness to build.
63. In many cases, the Council's self-build register does not translate into active take-up, particularly on larger housing sites. Without robust local evidence to support a mandatory 10% threshold across all major developments, the policy fails the NPPF tests of justification and effectiveness.
64. The delivery of self or custom build plots on active housebuilding sites introduces significant operational barriers, including the health and safety liabilities of introducing independent parties into a managed construction site.
65. The requirement would cause new conflict with construction management plans and phasing sequences, and disrupt delivery and access for at pace build-out. In fast-paced commercial delivery environments, this equates to unnecessary drag on momentum, not net gain.
66. Most self-builders do not seek plots adjacent to large-scale estates. They look for distinct, rural, or characterful standalone opportunities, not serviced parcels within suburban schemes.
67. We request modification to a policy which should permit flexibility in approach and enable strategic site identification for self-build, rather than parcels for self-build on every site over 40 units.
68. The fallback mechanism is excessively burdensome as it requires an 18-month marketing period and a new detailed planning application to convert unsold plots to conventional housing. This is unduly restrictive, time-consuming, and costly when no demand materialises.
69. As an amendment the policy should allow lower or zero provision where the applicant can demonstrate the availability of other suitable self-build opportunities elsewhere in the authority or low market uptake for these plots. Should the fallback mechanism

be maintained, it should be restricted to a 3-month marketing period, so as to not slow up the delivery of the wider site.

**Policy DM06: Transport and Accessibility – Object**

70. We accept the intention in Policy DM06 to ensure sustainable and inclusive transport solutions across new development. However, we object to the reference within the policy requiring that development "make provision for Car Club spaces" as a generalised obligation, as it is currently unsupported by local evidence and risks becoming an undeliverable planning burden.
71. No evidence has been published by the Council to demonstrate that car clubs are currently operating in the district, or that there is market interest from operators in expanding services into Harborough.
72. In the absence of this, the requirement appears theoretical rather than grounded in the transport realities of the district. It cannot be assumed that national trends in dense urban areas can be extrapolated to the context of Harborough's settlements.
73. The policy should clarify that Car Club spaces will only be required where there is evidence of local demand or an active operator.
74. Imposing car club infrastructure on new developments where there is no operator, no uptake, and no nearby club vehicles will potentially result in empty bays, wasted infrastructure, and frustrated residents.
75. The policy is also silent on who is expected to fund and operate the car clubs. There is no detail on sustaining the club model, or what happens if no operator or motorists were to engage in the club spaces.
76. This vagueness undermines the policy's effectiveness and places a speculative burden on developers at planning stage.



Proposed changes

77. We request more flexibility allowing equivalent sustainability measures (e.g., cycle infrastructure, travel plans, or bus stop improvements) in place of car clubs where not viable.
78. As drafted, the car club requirement is not justified, as no proportionate evidence has been provided.

**Policy DM09: Sustainable Construction and Climate Resilience.**

79. Object. The policy is not considered sound as it is not positively prepared, not justified and not consistent with the NPPF.
80. The approach to ensuring sustainable construction and climate resilience is acknowledged, however, the requirement as set out in paragraph 2 of the policy which requires all new build residential developments to achieve at least a three star rating under the BRE Home Quality Mark scheme, which as we understand is over and over building regulation requirements is considered unduly onerous on developers and again may have implications for viability and the deliverability of schemes.
81. The proposed change being sought is this requirement is removed.