

DRAFT HARBOROUGH LOCAL PLAN (2020 – 2041)



REPRESENTATIONS

REGULATION 19 – CONSULTATION DRAFT

APRIL 2025

Project Name: Harborough Local Plan – Regulation 19

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Date: 20thApril 2025

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Date: 20thApril 2025

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1. Introduction

1.1 Background

1.1.1 These representations to the Proposed Submission Draft Harborough Local Plan (“HLP”) have been prepared by Marrons on behalf of Barratt David Wilson (“BDW”) North Midlands.

1.1.2 These representations focus on matters which require further consideration to ensure the soundness of the HLP. These representations are made in the context of Land at Gallow Field Road, Market Harborough, which is under promotion by BDW for residential development. The site is shown edged in red at **Appendix 1**.

1.2 Policy Framework

1.2.1 The Government’s planning policy framework for England is contained within the National Planning Policy Framework (“NPPF”), December 2024 edition. Paragraph 234 of the latter states that where a Plan has reached Regulation 19 stage on or before 12th March 2025, and its housing requirement meets at least 80% of local housing need calculated using the updated Standard Method, policies in previous versions of the NPPF will apply. In this case, as Harborough District Council (“HDC”) intends to progress the HLP under transitional arrangements, the soundness of the Plan will be assessed against the December 2023 iteration of the NPPF. All references to the NPPF below are therefore references that version unless stated otherwise.

1.2.2 Paragraph 35 of the NPPF sets out that local plans will be examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are sound where they are:

- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs and informed by agreement with other authorities, so that unmet need can be accommodated where it is practical to do so and consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent** with national policy – enabling the delivery of sustainable development in accordance with the policies of the Framework and other statements of national planning policy, where relevant.

1.3 Structure of Representations

1.3.1 These representations are structured as follows:

- **Section 2** – Housing requirement and spatial strategy (Policy DS01)
- **Section 3** – Land at Gallow Field Road, Market Harborough
- **Section 4** – Summary and Conclusions

2. Policy DS01 – Development Strategy – Delivering Homes

2.1 The Housing Requirement

Leicester’s Unmet Need

2.1.1 Policy DS01 sets out that the housing requirement for Harborough District is 13,182 between 2020 and 2041. The annual housing requirement is 657 dwellings per annum (“dpa”) between 2020 and 2036 and 534 dpa between 2036 and 2041.

2.1.2 The housing requirement draws upon the Leicester and Leicestershire Statement of Common Ground (“SoCG”), which apportions Leicester’s unmet housing and employment needs between 2020 and 2036 to the surrounding authorities, including Harborough District. The SoCG calculated that Harborough District should accommodate 657 dpa over that Period, comprising 534 dpa to meet Harborough’s own needs and 123 dpa to meet the City of Leicester’s.

2.1.3 We support the HLP’s provision for Leicester’s unmet need but note that this does not apply throughout the Plan period. Beyond 2036 (the end date of the SoCG), the HLP makes no provision to address potential wider shortfalls within the Housing Market Area (“HMA”). This matter is discussed in the Development Strategy Paper dated 18th February 2025, which states not considered appropriate to accommodate unmet need beyond 2036 in the absence of a full and comprehensive assessment of Leicester’s capacity over this timescale.

2.1.4 The Leicester Local Plan (“LLP”) is in the latter stages of examination. Amongst other matters, the LLP quantifies Leicester’s urban capacity and the city’s level of unmet need between 2020 and 2036. The Inspectors’ Post-Hearing Letter dated 6th January 2025 concludes that the LLP is capable of being made sound. That conclusion is subject to a main modification requiring commencement of an immediate review following adoption to address development needs beyond 2036, on account of the LLP’s short Plan period. It is clear that the city’s urban capacity beyond the end year of 2036 will be explored soon as part of that review.

2.1.5 We note Policy IM01: Monitoring and review of the Local Plan which commits the Council to a full or partial update of the HLP in certain circumstances. These are the adoption of a SoCG to address development needs to 2041 or the publication of a local plan which includes satisfactory evidence of unmet housing need. The PPG, however, states that Inspectors will expect to see that strategic policy making authorities have addressed key strategic matters through effective joint working, and not deferred them to subsequent plan updates.¹

2.1.6 HDC’s Duty to Cooperate Compliance Statement identifies addressing Leicester’s unmet need beyond 2036 as a key strategic cross boundary matter. There appears to have been no

¹ Paragraph: 022 Reference ID: 61-022-20190315

substantive discussion of this matter between HDC, Leicester City Council or other HMA authorities. It is not clear when HDC’s partner authorities became aware of the HLP’s approach to addressing housing needs within the wider HMA beyond 2036. HDC’s current approach in respect of making no provision for Leicester beyond 2036 was not set out in the Issues and Options Consultation. It is similarly unclear what options were considered for addressing unmet needs from Leicester the wider HMA from 2036 to 2041. We note that the further SoCGs in relation to this matter and others remain to be agreed or published. We reserve the right to comment further this matter as part of the Examination in Public.

2.1.7 Whilst HDC intends to progress the HLP under transitional arrangements, we note that a sizable number of the Leicester and Leicestershire authorities will not be able to undertake plan-making based on the June 2022 SoCG, given that it is based on a version of the Standard Method for calculating local housing need which has been superseded by the 2024 NPPF. Clearly, the urban capacity of Leicester over the time horizon of the HLP is a matter that must be addressed within the wider HMA in the current round of plan-making in the context of other authorities’ plan preparation and the review of the LLP. In that context, we consider that it would be prudent for the HLP to build in contingency to address unmet housing needs beyond 2036 rather than deferring this to a subsequent plan review.

Early Review

2.1.8 Policy IM01 includes a series of triggers in respect of an early review to the HLP which relate to Leicester’s unmet need. However, a further matter Policy IM01 should address is the differential between the HLP’s annual average housing requirement (657 dpa) and the more recent local housing need (“LHN”) for Harborough District calculated using the new Standard Method (723 dpa). Given the differential between these figures and the fact that it will widen even more significantly from 2036 onwards, we expect that the Council will be required to progress a review and an update to address the District’s own needs regardless of events within the wider HMA.

Affordable Housing

2.1.9 The Development Strategy Paper correctly notes that the District’s local housing need LHN using the Standard Method is a minimum starting point. Amongst other matters, the PPG requires consideration to be given to the relationship between assessed need for affordable housing and the overall housing requirement. The Development Strategy Paper acknowledges this, but also states that the Housing and Economic Needs Assessment of June 2022 (“HENA”) did not consider there to be “exceptional circumstances” to depart from the Standard Method. Exceptional circumstances, however, do not need to be demonstrated to plan for a level of housing greater than the LHN, which only represents a minimum starting point. This is confirmed in the PPG itself which says:

*“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.”*² [Emphasis Added]

2.1.10 The HENA discusses the matter at paragraph 9.40 to 9.50. In essence, it acknowledges the advice of the PPG that an increase in the total housing figures may need to be considered whether it could help deliver the number of affordable homes. However, the HENA relies on informal guidance from the Planning Advisory Service from nearly a decade ago to dismiss the matter because there is no arithmetical way of combining the Objectively Assessed Need (“OAN”) and the affordable need. Whilst it may not be easy to make the link between the two with statistical exactitude, this does not obviate the need to apply the policy of the PPG, which is based on the entirely logical proposition that increasing the requirement for housing generally will lead to the delivery of more affordable homes. Affordable housing need in Harborough District is acute and that the overall housing requirement will not secure the number of affordable homes needed at a policy-compliant level.

2.1.11 The HENA identifies a need for affordable homes in Harborough of 421 dpa compared with an annual average requirement for overall housing of 621 dpa. Notionally, the affordable housing need figure represents 68% of the annual average housing requirement. Given that affordable housing can only be viably delivered at 40% based on the HLP and its evidence base, the overall housing requirement will not address the objectively assessed needs for affordable homes. There is no indication within the HLP or its evidence base that the relationship between the overall affordable housing needs and the housing requirement has been considered and an increased housing requirement would clearly facilitate the delivery of more affordable homes overall, which would help to alleviate the District’s significant affordability challenges.

2.1.12 Having regard to the Government’s live tables on affordable housing delivery, the District has only seen an annual average rate of affordable home completions of 188 over the last ten years. Clearly, therefore, the HLP should support an uplift in delivery to address the acute need for affordable homes. The decision not to uplift the housing requirement to address affordability concerns in line with the PPG lacks justification.

Sustainability Appraisal

2.1.13 The Sustainability Appraisal (“SA”) process considered three options in relation to the overall level of housing growth. Option B (HDC’s LHN plus 123 dpa to address Leicester’s unmet housing need) was selected as the preferred option. We disagree that only meeting the District’s own LHN

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

is a “reasonable alternative,” as this would be tantamount to the HDC turning its back on Leicester’s unmet housing need, which would not be consistent with national policy or the legal Duty to Cooperate.

2.1.14 Regarding the "high" growth option, a figure of 936 dpa has been tested, which is higher than the long-term average of 637 dpa since 2011 (the base year of the adopted local plan). However, relying on historical housing delivery trends to test future housing requirements may not fully address the ongoing challenges related to housing affordability and supply. The NPPF emphasises the need to “boost significantly” the supply of housing, reinforcing the importance of a forward-looking, evidence-based approach. We believe that reasonable alternatives for housing growth should not be benchmarked against past delivery rates but should instead focus on strategies to enhance housing supply, support economic growth, and address affordability concerns. We encourage the SA process and the wider evidence base to consider such an aspirational growth scenario.

2.1.15 Recent housing delivery trends in Harborough show an average of 891 dpa from 2021/22 to 2023/24, which is close to the "high growth" scenario. This suggests that the District can practically sustain this rate of homebuilding. However, the SA does not clearly explain why the "high growth" option was rejected, though the Development Strategy Paper provides some reasoning, indicating that the “high” growth option would have the most negative impacts across all six spatial options. Table 4.1 of the Regulation 19 SA suggests that the differences between the "high" and "medium" growth options are not significant for most SA objectives. There is no clear reasoning for why the “high” growth option was not taken forward.

2.1.16 In addition, neither of the six initial spatial distribution scenarios were taken forward in their totality. Refined distributional options were subsequently tested. By that time, however, the overall level of growth had already been fixed in line with Option B and the SA process did not test the refined options against a higher or lower housing requirement. To support the HLP’s housing requirement, we consider that the refined spatial options for growth should be tested alongside the “high” growth option.

2.1.17 There is a clear and compelling case to test a higher housing requirement not only because of recent housing delivery trends mentioned above, but because of the wider issue of an HMA-wide shortfall over the plan period beyond 2036. A higher growth figure could provide sufficient headroom to respond to this longer-term strategic challenge and this has not been addressed given that alternative scales of growth were not tested beyond the initial spatial options.

2.1.18 Given these considerations, the overall quantity of growth has not been fully explored through the SA process.

2.2 Spatial Distribution

- 2.2.1 The second limb of Policy DS01 identifies that land for a minimum of 6,422 homes (net of commitments) will be delivered throughout the District to 2041. This includes 2,450 on site allocations adjacent the Leicester Urban Area, including at the Land South of Gartree Road Strategic Development Area (“SDA”) and 1,125 homes at Scraftoft, 950 of which will be focused at Scraftoft East. 1,500 homes are also proposed on Site Allocations through Policy SA01 in Large Villages, including 400 homes at Great Glen. Policy DS01 also proposes 1,670 homes on site allocations in Market Towns, 1,350 of which are directed toward Market Harborough and 320 to Lutterworth.
- 2.2.2 We generally agree with Policy DS01’s apportionment of growth to Market Harborough. Such an approach is consistent with the settlement hierarchy, which identifies Market Harborough as the most sustainable location within the District, offering the greatest range of local services, facilities and shops. This will reduce the need for car-based journeys meaning that new development will be accessible to a wide range of employment opportunities and higher order services.
- 2.2.3 The appraisal of the six initial distribution options reveals that none clearly outperform others against the SA objectives. These options have thus been combined into three refined options which have been subject to further testing. In essence, the refined options involve directing growth to the market towns, focusing growth upon the Leicester Urban Area or a combination of both approaches. In principle, we agree that ensuring a balanced distribution of sites between the most sustainable parts of the District is a sound strategy. Both the Leicester urban area and the market towns, as well as the more sustainable rural settlements, should play a role in the provision of housing for the development strategy to reflect the settlement hierarchy and to deliver a sustainable and deliverable pattern of growth.
- 2.2.4 We note of the refined Options, RO1 (market towns focus) performs most poorly largely due to the more limited size of Lutterworth when compared to Market Harborough. We consider that whilst all sustainable settlements should have a role in supporting the growth strategy, new growth should be focused on locations which or can be made sustainable. By that same token, focusing all growth in the area of the District risks the over-concentration of housing which could result in market absorption challenges, risking delivery and depriving other areas in the District of the opportunity to grow. Accordingly, we agree that RO3 (balancing growth between the urban area and the market towns, with a medium level of growth directed towards the large villages) is the optimal approach and endorse the SA’s findings in this regard. Apportionment of growth to the District’s market towns will also allow new homes to be supported by existing and accessible services and facilities, as well as being able to rely on existing infrastructure. This will mean that much needed new homes will come forward quicker. The investment required in respect of very large-scale strategic schemes can cause delay to delivery and cause viability issues.

2.2.5 We agree that a balanced distribution of growth should occur at all levels of the settlement hierarchy, which addresses the needs of rural communities and allows existing towns and villages to grow proportionately.

2.2.6 We note that Policy DS01 allocates 350 homes to Small Villages through settlement-specific apportionments to be delivered through neighbourhood plans, with an additional 452 homes directed to Medium Villages. This represents a significant share of growth at the lower end of the settlement hierarchy. However, it is unclear how different options for distributing growth among rural settlements have been assessed through the SA process and how the HLP's approach ensures a sustainable pattern of growth overall in this regard. We maintain that whilst all settlements should accommodate a level of growth commensurate with their position in the settlement hierarchy, the most sustainable settlements including the market towns should be the focal point for addressing housing needs area given the role and function of these settlements in providing a good level of services and facilities.

2.3 Housing Land Supply & Contingency

2.3.1 Table 2 of the HLP sets out the District's land supply position and forecasts a total of 14,839 completions over the Plan period (including windfalls) compared to the housing requirement of 13,182 overall. In other words, the HLP has a supply buffer over and above the minimum requirement of about 12%.

2.3.2 Whilst there is not a uniform approach to the appropriate level of supply buffer, one factor to consider is risks posed by the non-delivery of strategic sites. The HLP appropriately recognises that the difficulties of over-reliance on strategic sites yet in addition to the outstanding commitment at Lutterworth East, the HLP proposes to allocate Land South of Gartree Road for a total of 4,000 homes across Harborough District and the Borough of Oadby and Wigston in addition to provision of employment land and social infrastructure including a new secondary school and 5 forms of entry primary school.

2.3.3 The HLP's housing trajectory at Appendix 5 forecasts completions at Land South of Gartree Road from 2033/2034. Whilst that assumption is not on its face unreasonable, it does not appear to be supported by any objective evidence or analysis to support its assumptions regarding this timing and rate of delivery.

2.3.4 As Land South of Gartree Road will deliver towards the end year of the HLP and beyond, even minor delays will push anticipated completions well beyond the Plan period further eroding the HLP's supply buffer and therefore the HLP's ability to respond to changing circumstances. Given the risks inherent within the spatial strategy associated with the delivery of a very large-scale development to the South of Gartree Road, we would expect to see a higher buffer of closer to 20% rather than the 12% proposed. We would therefore encourage HDC to consider a greater

supply-side buffer of about 20% in line with the approach suggested in the issues and options consultation.

2.4 Requested Change(s)

2.4.1 We consider that the following modifications should be considered to ensure the HLP's soundness.

2.4.2 Firstly, the HLP should contain a clear mechanism for addressing Leicester's unmet need beyond 2036 should this arise. Whilst an early review policy has been incorporated, the PPG indicates that strategic policy-making authorities should cooperate to address cross-boundary matters and not defer these issues to subsequent reviews. Further land allocations or reserve sites should be identified to address Leicester's unmet need should it arise in the current Plan period.

2.4.3 Secondly, the HLP and its evidence should consider whether an uplift to the housing requirement could be made, and further suitable, deliverable and sustainable sites allocated, to address the acute need for affordable housing.

2.4.4 Thirdly, the SA should consider a "high growth" scenario across the refined options, consistent with our wider observations in relation to the housing requirement. The SA process should demonstrate that more sustainable settlements (i.e. market towns) are accommodating housing growth in preference to less sustainable ones.

2.4.5 Fourthly, the approach to the HLP's supply-side buffer should be re-considered to align with that consulted upon during the issues and options stage. A buffer of around 20% is appropriate.

3. Land at Gallow Field Road, Market Harborough

3.1 Introduction

3.1.1 As set out above, BDW are promoting Land at Gallow Field Road, Market Harborough for residential development. The land under promotion is shown edged red at **Appendix 1**. Below we set out our representations on the planning merits of this site with reference to the HLP’s evidence base.

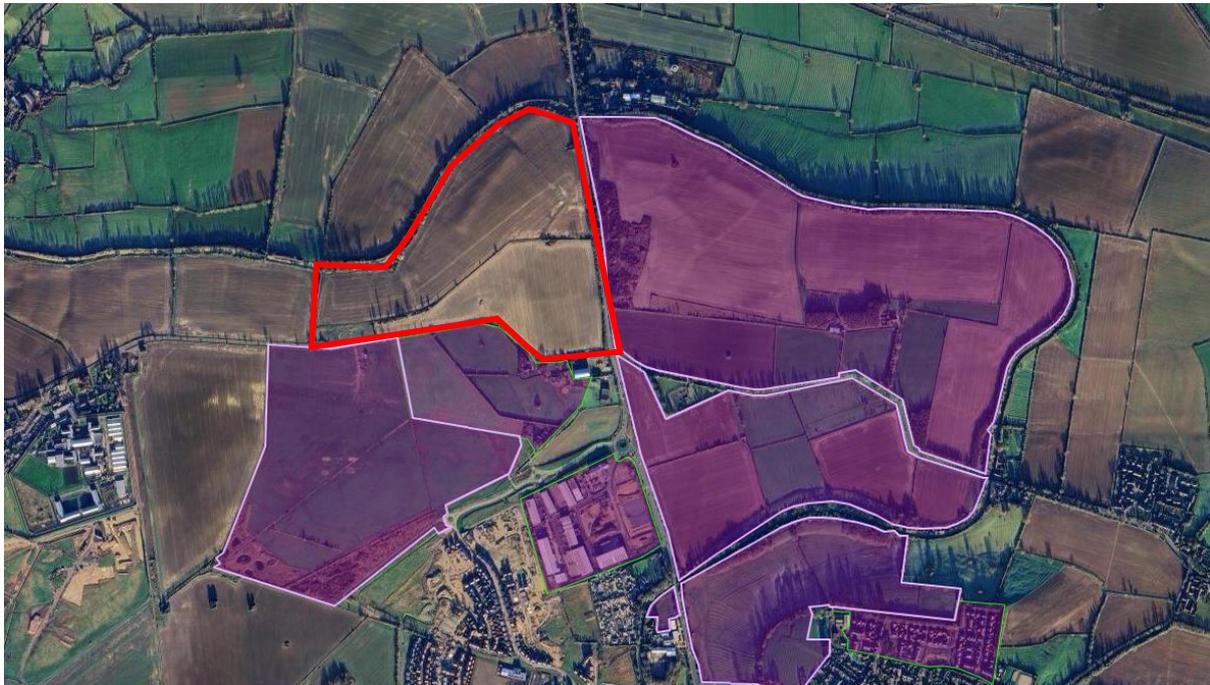
3.2 Comments on Evidence Base

3.2.1 The site edged red at **Appendix 1** straddles two parcels which have been assessed separately for the purposes of the HLP’s evidence base. **We request that the assessments are updated to coincide with the parcel of land now subject to promotion by BDW, as shown edged red at Appendix 1.**

3.2.2 The first parcel has been assessed as Land West of Harborough Road (Site Reference 8019). The second has been assessed as Land North of Gallow Field Road (Site Reference 8222). The methodology employed for assessing sites is set out in the February 2025 Site Selection Methodology, Appendix 3 of which sets out a schedule of sites rejected for allocation following a high-level technical assessment.

3.2.3 The Stage 3 assessment appropriately recognises that the site would form a logical extension to Market Harborough and the overall scale of development would be appropriate to the position of Market Harborough in the settlement hierarchy. This is no doubt correct given that Market Harborough is a large sustainable settlement which is a focal point for strategic growth and the site represents a logical “rounding off” of the town, having regard to the site’s physical relationship to existing and emerging allocations. This is shown at **Figure 1** below.

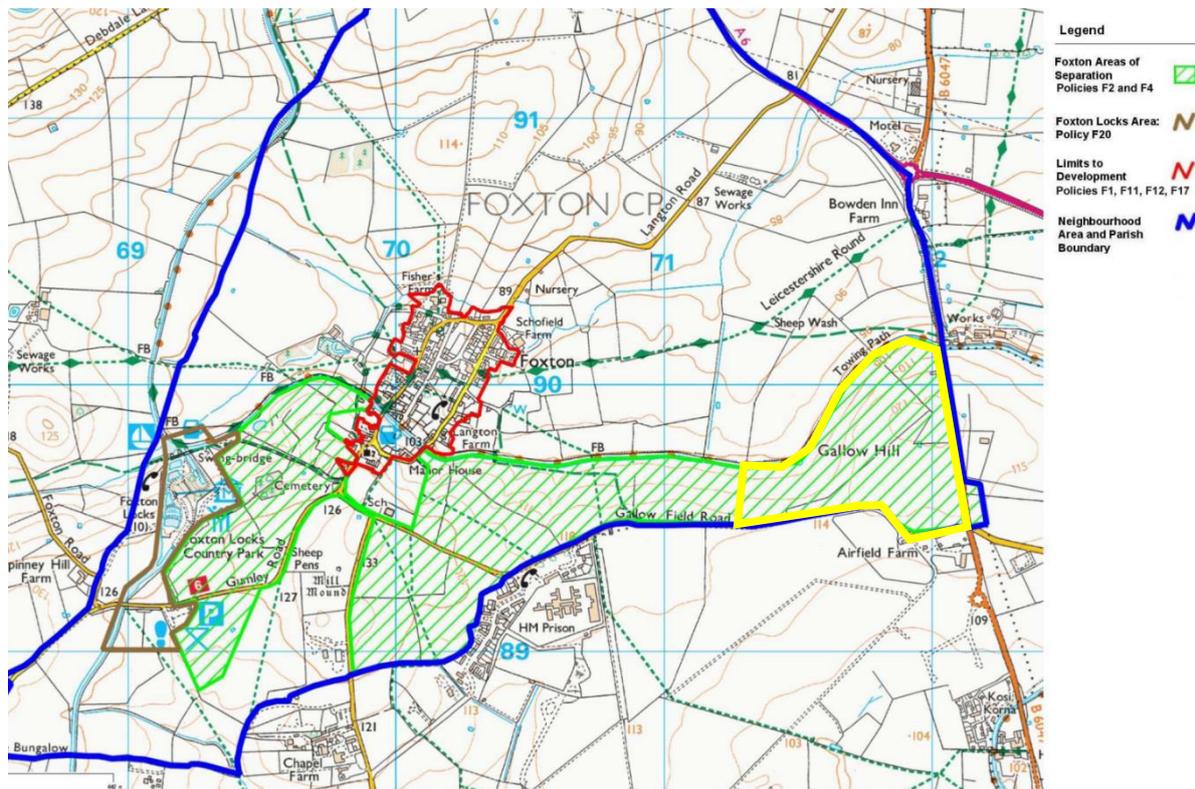
Figure 1 Indicative plan showing location of the Site (edged red) compared to existing and emerging allocations (shaded purple)



3.2.4 The site appears to have been rejected as part of the Stage 3 assessment appears due to it being located in the Foxtan Area of Separation (“AoS”). The AoS is designated in the Foxtan Neighbourhood Plan and is shown at **Figure 1** below. As an emerging local plan setting out strategic policies, the HLP should review the extent the AoS boundaries to ascertain whether they remain justified. At present, the HLP does not show on its policies map the Foxtan AoS nor is the AoS mentioned in Policy DS04 of the emerging Plan which deals with areas of separation. Furthermore, whilst the Council has published an Areas of Separation study by LUC dated November 2024, this does not consider the Foxtan AoS in any measure. Therefore, the decision to reject the site because it lies within the AoS lacks justification in the evidence base.

3.2.5 As a further point, it should be noted the AoS and Green Wedges need to be reviewed and amended from time to time to ensure that development needs can be accommodated in the most sustainable locations. We note that such a review has been undertaken in respect of the Green Wedge around Scraftoft and it is unclear why AoS and Green Wedge have been treated as an absolute constraint in some instances meriting the rejection of individual sites, whereas in other instances they have not.

Figure 2 - Foxton AoS Extract with the Site indicatively edged in yellow



3.2.6 Whilst the AoS has been confirmed through the adoption and examination of a neighbourhood plan, it should be kept in mind that neighbourhood plans are not subject to some same tests of soundness as district-level plans. Accordingly, if a decision has been taken in the context of a local plan to reject a site for development due to an AoS designation in a neighbourhood plan, that should be clearly justified in line with the test of soundness. At present, it is not given the absence of any discussion of the matter within the AoS Study.

3.2.7 As can be seen from **Figure 2** above, whilst the site is covered by the AoS designation, it is a considerable distance from the village of Foxton and development of the site would clearly not result in visual or spatial coalescence. At its closest point, the site is approximately 1km away from the built edge of Foxton. This measurement does not factor in landscape-led masterplanning for the site itself, which will see an even greater distance between the village and proposed built form as well as the introduction of visual buffers in the form of green infrastructure.

3.3 Requested Change(s)

3.3.1 If sites are to be assessed and rejected based on Green Wedge or Area of Separation designations that this decision should be solidly grounded in evidence. At present, no part of the evidence base, including the AoS Study, appropriately reviews and responds to the Foxton AoS, despite

this being the sole reason for rejecting sites 8019 and 8222. The study and the wider evidence base should be updated as appropriate.

4. Summary & Conclusion

- 4.0.1 BDW considers the broad thrust of the HLP to be sound in respect of its approach to the housing requirement, spatial strategy, and other key matters discussed above. However, appropriate provision should be made for addressing Leicester’s unmet need between 2036 and 2041.
- 4.0.2 In addition, the housing requirement should be re-considered in light of wider evidence in respect of affordable housing need. A supply-side contingency of least 20% should be introduced to allow for flexibility. The SA process should consider higher growth scenarios across the refined distribution options, which should also consider an option based upon more limited growth to the tiers of settlements at the lower end of the hierarchy.
- 4.0.3 Finally, BDW’s land interest at Gallow Field Road, Market Harborough has been rejected through the site selection process by virtue of its location within the Foxton AoS. However, there has been no objective review of the Foxton AoS carried out through the emerging HLP’s evidence base and the AoS Study by LUC fails to consider it. We therefore request that the site selection evidence base and the AoS Study us updated as appropriate.

Appendix 1: Site Location Plan



Waterfront House, Waterfront Plaza
35 Station Street, Nottingham, NG2 3DQ

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