

# Harborough Local Plan.

## Regulation 19 Consultation Representations.

On behalf of Vistry Group in relation to Land at Witham Villa,  
Broughton Astley.

Date: 2 May 2025 | Pegasus Ref: P19-2613

Author: Kelvin Chan / Clare Clarke

---



# Contents.

1. Introduction.....	1
2. Personal Details .....	3
3. Policy DS01: Development Strategy: Delivering Homes .....	4
Housing Requirement.....	4
Plan Period.....	6
4. Policy SA01: Site Allocations.....	8
Flexibility Buffer .....	8
Sustainability Appraisal .....	9
Alternative Sites .....	9
5. Policy HNO2: Housing Need: Mix of New Homes .....	11
Housing Mix.....	11
Accessibility Standards.....	11
6. Policy HNO5: Housing Need: Self and Custom Build Housing.....	13
7. Policy AP01: Development in Settlements.....	15
8. Policy DMO9: Sustainable Construction and Climate Resilience.....	16

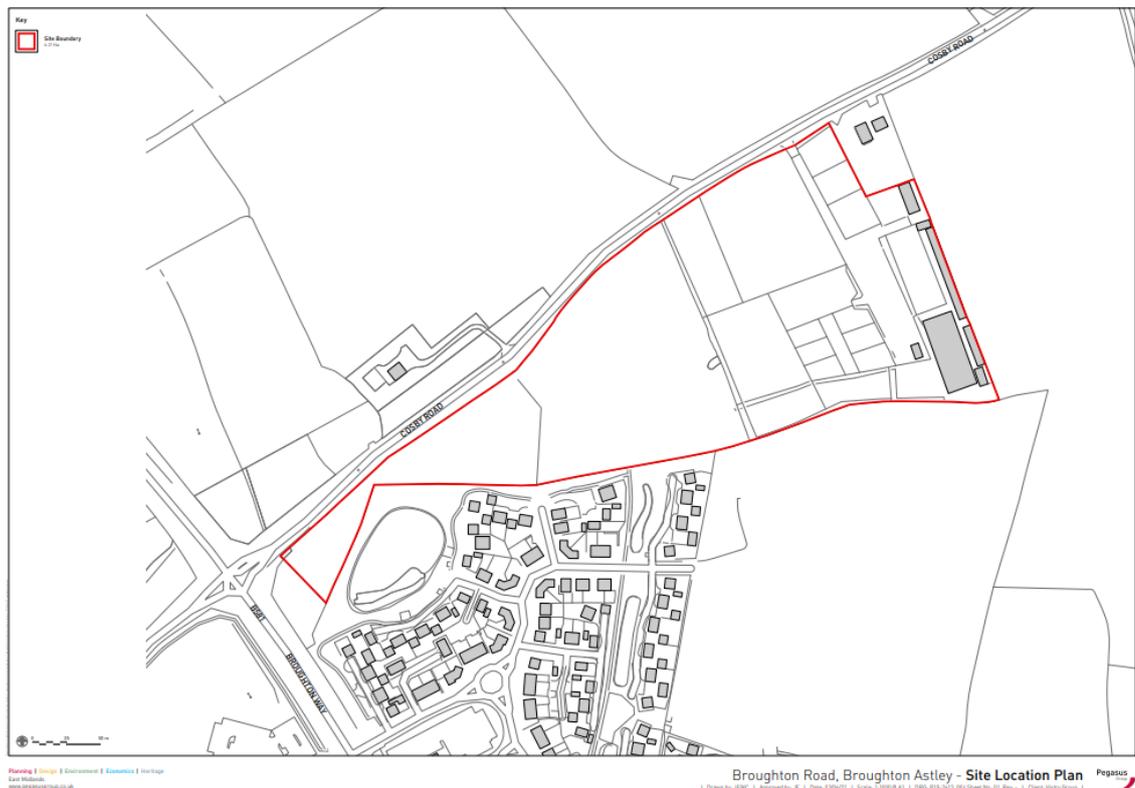
# Appendices contents.

Appendix A: Site Location Plan

Appendix B: Concept Masterplan

# 1. Introduction

- 1.1. These representations are submitted by Pegasus Group on behalf of Vistry Group in respect of the Draft Harborough Local Plan and the Pre-Submission Regulation 19 consultation.
- 1.2. This representation is made in relation to the Land at Witham Villa, Broughton Road, Broughton Astley and the opportunity to deliver 138 homes. A Site Location Plan has been included in Appendix A and reproduced below for ease of reference, a Concept Masterplan is included at Appendix B.



- 1.3. Our client's site was appraised in the Sustainability Appraisal supporting the Issues and Options consultation and given Site ID 21/8220: Land at Witham Villa, Broughton Road.
- 1.4. The site extends to approximately 6.33 hectares and is located north of Broughton Astley and directly north of the existing Jelson Homes 'Estley Green' housing estate. The site comprises of an existing paddock with associated stables and is in a central location to the two built up areas of the village, this site makes a logical extension and would be read as an extension to the existing 'Estley Green' housing estate.
- 1.5. Vistry Group have previously engaged in the Call for Sites, Site Promotion Service and submitted comments during the Harborough Local Plan Issues and Options Regulation 18 consultation. In addition to the Concept Masterplan appended to this representation, a Vision Document was submitted to the Council in 2022, and as part of the Site Promotion Service process, which set out the technical work underpinning the concept plan.
- 1.6. Our client, Vistry Group, are developers and promoters of residential developments, they will deliver the site, which is in single ownership. Vistry Group is one of the top five housebuilders



in the UK by volume. As one of the country's leading housebuilders, Vistry was formed in January 2020 following the successful acquisition of Liden Homes and the Galliford Try Partnerships & Regenerations businesses by Bovis Homes Group PLC.

- 1.7. The site offers an opportunity to deliver approximately 138 homes. As part of the delivery the existing green corridor at 'Estley Green' can be extended into the proposed site along with the additional provision of play area space, further green corridors connecting onsite green space. Appendix B provides an Illustrative Masterplan of the site demonstrating how the site how the development could be achieved.



## 2. Personal Details

2.1. Please find below the respondent details.

	Client Contact Details	Agent Contact Details
Name	Jonathan Porter	Clare Clarke
Job Title	Associate Strategic Planning Director	Director
Organisation	Vistry Group	Pegasus Group
Address		4 The Courtyard Church Street Lockington Derbyshire
Postcode		DE74 2SL
Telephone Number		
Email		

### 3. Policy DS01: Development Strategy: Delivering Homes

Part of Local Plan Representation relates to:	Policy DS01
Do you consider the Local Plan is:	
Legally Compliant	<b>Yes</b>
Sound	<b>No</b>
Complies with the Duty to Cooperate	<b>No</b>
Which of the tests the Local Plan fails to meet?	
Positively Prepared	<b>X</b>
Justified	<b>X</b>
Effective	
Consistent with National Policy	<b>X</b>
Do you consider it necessary to participate in the hearing sessions?	<b>Yes, I do wish to participate</b>

#### Detailed Comments

##### Housing Requirement

- 3.1. Draft Policy DS01 'Development Strategy: Delivering Homes' is the key policy within the Plan in terms of addressing the Government's ambitious objective of significantly boosting the supply of homes and delivering 1.5 million homes by the end of the parliament. Policy DS01 sets out housing requirement for Harborough District of 13,182 between 2020 and 2041. This is based upon an annual housing requirement is 657 homes per year between 2020 and 2036, and 534 homes per year between 2036 and 2041.

##### Standard Methodology

- 3.2. The starting point for the housing requirement should be the Local Housing Need arising from the standard methodology.
- 3.3. The proposed Local Plan housing requirement compares to the current Local Housing Need figure for Harborough of 723 homes per year, calculated using the standard method (including the March 2025 affordability ratio update which did not affect the figure). The Council are, however, proceeding under the transitional arrangements and the previous Local Housing Need figure was 510 homes a year.
- 3.4. It is unclear how the latest relevant standard method local housing need for the District of 510 homes a year (i.e. the pre-2024 NPPF changes based on the transitional arrangements) has informed the housing requirement as the housing requirement is based on the standard method position in 2022. This is not considered to be a sound basis for a positively prepared

Local Plan and whilst the proposed housing requirement may be sufficient to meet the local housing need and the necessary proportion of the unmet needs from Leicester, this is not clearly set out in an agreed Statement of Common Ground with the other authorities.

#### Unmet Needs Post 2036

- 3.5. Paragraphs 4.4 to 4.7 of the Local Plan reasoned justification provides the rationale for the proposed housing requirement that is proposed. It points to the Leicester & Leicestershire Authorities – Statement of Common Ground relating to Housing and Employment Land Needs June (2022) (SOCG), which apportions unmet housing need from Leicester City up to 2036. For Harborough, this apportionment is 123 homes per year up to 2036. The SoCG was finalised in 2022 at which point in time Harborough had a Standard Method Local Housing Need of 534 houses per year, which combined gives a total requirement for 657 homes a year.
- 3.6. Within the reasoned justification, paragraph 4.6 notes that the housing requirement is reduced from 2036, in line with the end date of the SoCG. The Council's approach to the Local Plan Housing Requirement figure suggests that there will be no unmet need arising from Leicester City after 2036. This does not reflect the evidence or the tightly drawn administrative boundaries of the City. Leicester City are in fact expected to see a decrease in its capacity for housing development after 2036 having maximised its options through their current emerging plan to 2036, and its unmet need is therefore likely to continue.
- 3.7. This approach to the housing requirement not taking account of unmet need post 2036 is not justified by the evidence. It fails the test of being positively prepared as it fails to meet housing needs and fails the test of being consistent with national policy as well as the duty to cooperate.
- 3.8. Evidence from the recent examination of the Leicester City Local Plan provides important insights into the likely unmet need position after 2036. In October 2024 the City Council were asked by the Local Plan inspectors about the implications of the changes to the proposed standard method figures for the City. The [Council's note](#) states the following:
- 'As the Leicester Local Plan at Examination effectively allocates the final remaining strategic site development opportunities for development ahead of 2036, the city capacity going forward into Plan review will be limited. As anticipated in the Strategic Growth Plan, there will be an increasing unmet need requirement going forwards in City – at the time of SGP approval, the potential City supply figure envisaged beyond 2031 was 550 dpa.*
- The City Council therefore expects that under the new NPPF, in addition to the new standard method need, partner councils will also need to address evidenced future City unmet need in their Local Plans beyond that identified to 2036 in the 2022 Statement of Common Ground. City capacity will only be able to be fully confirmed and evidenced post adoption of the Plan currently being examined'.*
- 3.9. It is readily apparent that unmet need from Leicester City will continue beyond 2036, and the only reasonable and responsible course of action is for unmet need to continue to be incorporated into the housing requirement for the District after 2036.

#### Evidence to Support Housing Requirement

- 3.10. The housing requirement for the District needs to incorporate a proportion of Leicester's Unmet throughout the plan period. This should be done through a new SoCG prepared to review the scale of unmet need, up to and post 2036 taking account of the new housing need evidence and apportion this to the surrounding districts in line with tests of soundness in NPPF paragraphs 36a, 36d 16.
- 3.11. It is recognised that this may take too long to inform the Submission of this plan, in the meantime this could be achieved by rolling forward the current agreed position to the end of the Harborough plan period, on the basis of a refreshed agreement between the authorities that demonstrates this fully meets the local housing needs of the Housing Market Area at least up to 2036 based on the relevant standard method figures and provides a starting point for further work to refine the apportionment post 2036 position once the full extent of the unmet need is known. This will ensure unmet needs are incorporated into the housing requirement throughout the plan period.
- 3.12. The 2024 changes to the standard method for all authorities across Leicester and Leicestershire are a trigger for engagement about how to provide for the needs of the housing area, and there is no evidence that Harborough, together with its partners, have carried out this work and met its obligations under the Duty to Cooperate. Such discussions would be expected to consider housing need in the round, including whether SoCG was still fit purpose. In the absence of any exploration and such discussion with HMA partners.

#### Conclusion/Summary

- 3.13. The justification for reducing the housing requirement after 2036 is flawed as it does not take account of unmet needs that are evidenced to exist beyond 2036. This approach is further undermined when the most up to date standard method Local Housing Need for Harborough is higher than the figure the council is using – even in the pre 2036 period. The increased Standard Method figure for the District illustrates an increased requirement for development in the district within the Housing Market Area context where the housing needs have not significantly changed overall.
- 3.14. The housing requirement set out in Policy DS01 is not justified, is not positively prepared and not consistent with national policy. It is unclear how the housing requirement relates to the most up to date relevant standard method figure for the District and then how this has been uplifted to take account of best information available on unmet needs.
- 3.15. It is also failing the Duty to Cooperate. There is no evidence of engagement with other authorities dealing with the post 2036 situation with housing distribution or the changes brought in as a result of the 2024 NPPF. The Council needs to show that there has been constructive engagement on the housing requirement figure for the District up to 2041 not just to 2036.

#### **Plan Period**

- 3.16. The Pre-Submission Local Plan covers the period 2020–41. This is not considered to support a positively prepared plan as it includes four years which precede the relevant local housing need figure which the Council should be using to inform the housing requirement, alongside meeting unmet needs.
- 3.17. The Council calculates an oversupply of 1,102 homes over the 2020–2024 period and this figure is taken from the 'to be found figure'. This is a significant number of homes in the



context of the district and the wider Housing Market Area. This means the plan is taking account of four years of over-delivery between 2020-2024 when the standard methodology itself takes account of over and under-delivery. This has the potential to be double counting.

- 3.18. In terms of end date of the plan period, the NPPF, at paragraph 22, requires Local Plans to provide a 15-year time horizon from the adoption of the plan to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Harborough's latest Local Development Scheme (March 2025) anticipates Submission in September/October 2025 and adoption in October-December 2026. This would mean the plan would look ahead over 14 years at adoption, rather than the required 15, as the Council's would be well into the monitoring year 2026/7.
- 3.19. Based on the Local Development Scheme it is necessary for at least an additional year to be added to the plan before Submission to ensure the plan provides a full 15-year time horizon. Whilst the Examination in Public process can take around a year, many take longer, as seen in neighbouring Charnwood where the Examination has been underway for over three years. Whilst this is unusual, the Leicester City Local Plan has had a single set of hearing sessions, no pauses or additional consultation and the Inspectors have indicated the plan can be found sound, but the Council is now a year and eight months into the Examination process having submitted in September 2023 and yet to publish Main Modifications.
- 3.20. The Council can avoid further unnecessary delays during the Examination process by extending the plan period now to 2042.
- 3.21. The proposed plan period is not justified, is not positively prepared and not consistent with national policy.

## **Modifications to the Local Plan**

- 3.22. Policy DS01 should be modified to incorporate Leicester's Unmet Need to the end of the plan period, rather than until 2036.
- 3.23. The plan should be supported by evidence of on-going and constructive engagement of the Leicester and Leicestershire authorities beyond the 2022 Statement of Common Ground.
- 3.24. An updated Statement of Common Ground is ideally needed between the Leicester and Leicestershire authorities which apportions the unmet need from Leicester beyond 2036 taking account of the authorities progressing under the transitional arrangements such as Harborough District Council. In the absence of this an agreement should be reached that the current SoCG provides a sufficient basis to meet the housing needs across the Housing Market Area based on the latest relevant evidence of local housing needs.
- 3.25. The plan period should be rebased to 2024 or potentially 2025 given the intention to submit the plan later this year. The plan period should also be extended by at least a year.

## **Participation in Hearing Sessions**

- 3.26. Vistry Group request to participate in the relevant hearing session to discuss the technical issues raised in this representation.

## 4. Policy SA01: Site Allocations

Part of Local Plan Representation relates to:	Policy SA01
Do you consider the Local Plan is:	
Legally Compliant	<b>Yes</b>
Sound	<b>No</b>
Complies with the Duty to Cooperate	
Which of the tests the Local Plan fails to meet?	
Positively Prepared	<b>X</b>
Justified	
Effective	
Consistent with National Policy	<b>X</b>
Do you consider it necessary to participate in the hearing sessions?	<b>Yes, I do wish to participate</b>

### Detailed Comments

- 4.1. Draft Policy SA01 identifies the Site Allocations across the district. SA01 allocates one site in Broughton Astley for development with the potential to deliver up to 475 homes on the site. The Settlement Total for the Local Plan period 2020–2041 for Broughton Astley would amount to 738 homes for the area.

#### Flexibility Buffer

- 4.2. The Pre-Submission Local Plan includes site allocations that provide an element of contingency above the housing requirement to account for the risk of slower or lower delivery. The proposed contingency buffer is 12%.
- 4.3. The provision of a buffer is supported, this is essential for ensuring delivery of the housing needed in the plan period.
- 4.4. The Local Plans Expert Group report, 2016 continues to provide a useful and relevant baseline in identifying the level of flexibility local planning authorities should look to build into their plans. The Report recommended a 20% allowance for developable reserve sites to provide extra flexibility to respond to change.
- 4.5. The proposed buffer should be increased to at least 15% at this stage in the process to reflect the potential for this to be reduced through the Examination process, as proposed allocations are tested and examined in detail. This will provide for the flexibility and contingency that is needed in a Local Plan to allow for changes in circumstances and the failure of components of supply to deliver the expected numbers of homes.
- 4.6. The current adopted Local Plan included a 15% contingency buffer and this has benefited the Council which has had limited issues of housing land supply since the plan was adopted.

## Sustainability Appraisal

- 4.7. The SA explains how the Council has considered six broad distribution options in November 2023 which led to 3 further refined options for the level and distribution of housing. The reasons for rejecting or selecting different options are not clearly set out in the SA report.
- 4.8. The reason for selecting or rejecting certain site options relies on the fact that council has decided the level of development that should be accommodated in certain settlements, However without a clear description of the process that led to the identification of levels of development in certain settlements, the site selection process is flawed and is not justified.

## Alternative Sites

- 4.9. Our clients submitted the site for consideration as part of the Regulation 18 Issues and Options Consultation which was held in early 2024. Prior to this, the site was also submitted for consideration during the Call for Sites with our client's site being appraised through the Strategic Housing and Economic Land Availability Assessment Update 2024 (reference 21/8220) and it was considered 'potentially suitable' with the site being available, achievable and developable in 6-10 years.
- 4.10. The site is also appraised in the Sustainability Appraisal supporting the Pre-Submission Local Plan, also under Site ID 21/8220: Land at Witham Villa, Broughton Road. The SA found the site to have a positive affect on sustainability objectives SA6 (Health and Wellbeing), SA8 (Services, Facilities and Education), SA9 (Housing), SA10 (Economic Growth) and SA13 (Sustainable Travel). It was also found to have no significant negative affects.
- 4.11. The site would be able to make significant contributions to the shortfall of homes identified earlier in these representations. We therefore request that our client's site is revisited in light of the aforementioned factors, we have set out below some key considerations that should be taken into account in the assessment of the Land at Witham Villa, Broughton Road, Broughton Astley:
- Single landowner
  - Single developer with control of the site with proven track record of delivery
  - No issues with getting access to existing road network and infrastructure
  - No significant site constraints that cannot be mitigated
  - Delivery of 138 homes early in the plan period
  - Sustainable site location benefiting from a range of services and facilities including access to the following within 15 minutes' walk:
    - Old Mill Primary School
    - Aldi Store
    - Broughton Astley Leisure Centre
    - Thomas Estley Community College

- The Pre-School Playstation
  - Frolesworth Road Recreation Ground
  - Estley Green Business Park and Cottage Lane Industrial Estate.
  - Broughton Astley Village Hall
  - Broughton Astley Scout Hut
  - Broughton Veterinary
  - St Mary's Church
  - White Horse Pub
- The site sites in a physical location where it will read as a continuation of the adjacent scheme and the public right of ways running north-south through the scheme provides links from the site through to the new Aldi store and leisure centre.
  - There is also an additional opportunity to continue and expand the green corridor running through the Estley Green development.

4.12. The Concept Masterplan in Appendix B shows demonstrates how this site could provide 138 new homes, including affordable housing units in one of the Districts most sustainable settlements outside the main urban areas.

4.13. Given the likelihood that the unmet need in Leicester will further increase throughout the plan period, it is important to consider the role of additional sites that can contribute development within the plan period.

### **Modifications necessary**

4.14. Draft Policy SA01 needs to be modified to include additional sites which have been previously appraised positively to assist with the identified shortfall and the need for a greater buffer in identified supply.

4.15. It is imperative for the Local Plan to provide provision for additional sites to come forward within sustainable locations to ensure that housing requirement is met and the Local Plan is positively prepared and effective. The proposed plan does not have sufficient flexibility or contingency built into the supply which is reliant on large strategic sites.

### **Participation in Hearing Sessions**

4.16. Vistry Group request to participate in the relevant hearing sessions on Housing Supply and Allocations, we have raised concerns which would benefit from discussions at the hearing session.

## 5. Policy HNO2: Housing Need: Mix of New Homes

Part of Local Plan Representation relates to:	Policy SAO1
Do you consider the Local Plan is: Legally Compliant Sound Complies with the Duty to Cooperate	<b>Yes</b> <b>No</b>
Which of the tests the Local Plan fails to meet? Positively Prepared Justified Effective Consistent with National Policy	  <b>X</b> <b>X</b>
Do you consider it necessary to participate in the hearing sessions?	<b>Yes, I do wish to participate</b>

### Detailed Comments

#### Housing Mix

- 5.1. Draft Policy HNO2 states proposals for residential development will deliver an appropriate mix of housing types, tenures and sizes considering the latest evidence on housing needs in the district published by the Council unless it can be demonstrated to the satisfaction of the Council that an alternative mix of homes is appropriate.
- 5.2. Consideration should be given to setting out in the policy the other factors that will be taken into account when deviating from the latest mix evidence. This should include viability, market conditions, design and character of the area and other site-specific circumstances.

#### Accessibility Standards

- 5.3. Draft Policy HNO2 also states all homes will be expected to meet accessible and adaptable M4(2) Building Regulations and all major residential development sites will be expected to provide a minimum of 5% of market homes meeting Building Regulations technical standard M4(3)A. Additionally a minimum of 10% of affordable homes must meet standard M4(3)B.
- 5.4. Accessibility Standards are set out in the nationally set Building Regulations and it is not, therefore, necessary for planning policy to cover these matters as any requirement will be superseded by changes to Building Regulations. The Government Response to 'Raising accessibility standards for new homes' set out that the proposal is to mandate the M4(2) requirement in Building regulations as a minimum for all new homes. This would be implemented through the Building Regulations.



- 5.5. The introduction of new standards at a national level ensures the industry as a whole adapts to the new standards collectively bringing economies of scale and government support. Introduction of local standards ahead of this will be challenging.

### **Modifications necessary**

- 5.6. Policy HNO2 should include reference to the factors that will be taken into account by the decision-maker in establishing whether it is appropriate to deviate from the housing mix identified in the latest evidence. This will ensure the policy is effective.
- 5.7. Policy HNO2 should also be modified to be in line with national policy and not set out policy requirements which go beyond the current building regulations.

### **Participation in Hearing Sessions**

- 5.8. Vistry Group request to participate in the relevant hearing sessions on housing policies, we have raised concerns which would benefit from discussions at the hearing session.

## 6. Policy HNO5: Housing Need: Self and Custom Build Housing

Part of Local Plan Representation relates to:	Policy SA01
Do you consider the Local Plan is:	
Legally Compliant	<b>Yes</b>
Sound	<b>No</b>
Complies with the Duty to Cooperate	
Which of the tests the Local Plan fails to meet?	
Positively Prepared	
Justified	<b>X</b>
Effective	<b>X</b>
Consistent with National Policy	<b>X</b>
Do you consider it necessary to participate in the hearing sessions?	<b>Yes, I do wish to participate</b>

### Detailed Comments

- 6.1. Draft Policy HNO5 requires all non-specialist development of 40 dwellings (gross) or more must provide at least 10% of the total number of dwellings as self and custom build plots.
- 6.2. The threshold of 40 dwellings and 10% sought on site are no justified by the evidence supporting the Local Plan.
- 6.3. The supporting text notes that the Council have typically seen an average of 36 registrations a year. However, the evidence outlines that since 1st April 2024 the Council has introduced a fee to join the Register and during the monitoring period 31/10/23–30/10/24, the number of registrations has dropped to 16 plots. This suggests that the registrations have been inflated by the ability to register for free.
- 6.4. The registrations do not automatically reflect the need or demand for plots. Those registering may be registering with more than one authority, may not be serious about pursuing this option and may not have the finances to.
- 6.5. The proposed policy needs to be carefully considered in terms of the significant affect self and custom build plots can have on the delivery and phasing of a site, for example, if not taken up these plots would create issues pertaining to site access and health and safety, gaps in the street scene, as well issues with connectivity and infrastructure provision.
- 6.6. Pockets of land within medium and large sites of over 40 dwellings are not an appropriate nor desirable means of meeting this need. It is unlikely this approach will meet the aspirations of someone looking to construct their own home.

- 6.7. Policy H5 positively makes provision for self and custom build and therefore this policy is not required.
- 6.8. The Local Plan Viability Appraisal has not specifically assessed the impacts of unsold plots, including the cost of the marketing exercise that needs to be undertaken; the disruption if unsold plots have to be built by the master-developer out of sequence from the build programme of the wider site; or the impracticalities if the developer has to return to build out unsold plots after completion of the wider site (particularly if the serviced plots have to be marketed for at least 18 months), which will seriously impact the deliverability and viability of the site.

### **Modifications necessary**

- 6.9. Policy HNO5 should be deleted or modified. The policy is not justified by the evidence and are unlikely to be effective at providing land that meets the aspirations of those looking to custom or self build.
- 6.10. If retained, the threshold and level of provision should be reviewed and justified against the evidence base and the timescale for marketing should be reduced to avoid problems with the delivery of sites.
- 6.11. The policy should be properly tested as part of a Whole Plan Viability Assessment.

### **Participation in Hearing Sessions**

- 6.12. Vistry Group request to participate in the relevant hearing sessions on housing policies, we have raised concerns which would benefit from discussions at the hearing session.

## 7. Policy APO1: Development in Settlements

Part of Local Plan Representation relates to:	Policy SAO1
Do you consider the Local Plan is: Legally Compliant Sound Complies with the Duty to Cooperate	<b>Yes</b> <b>No</b>
Which of the tests the Local Plan fails to meet? Positively Prepared Justified Effective Consistent with National Policy	<b>X</b>
Do you consider it necessary to participate in the hearing sessions?	<b>Yes, I do wish to participate</b>

### Detailed Comments

- 7.1. Draft Policy APO1 sets out that in addition to the sites allocated in Policy SAO1, development will be permitted on land adjoining the existing built up areas of settlements in Tiers 1 to 5 of the settlement hierarchy where this meets requirements certain criteria. This includes criteria (f) that the development relates to a settlement in Tiers 1 – 4 of the settlement hierarchy and is necessary to meet strategic housing need established in Policy DSO1 where net homes delivered against the number of homes required falls below 85% in the previous three-year period’.
- 7.2. This policy approach is supported as a pragmatic approach to the potential need for additional sites in the plan period outside the allocations and provides the Council with a policy framework within which to assess speculative applications.
- 7.3. It is unclear however why the policy doesn’t also include scenarios where a five year supply of deliverable sites is not available as well as when the Council is failing the Housing Delivery Test. To be effective and positively prepared, it is important this scenario is also included in the Policy.

### Modifications necessary

- 7.4. Policy APO1 should be modified to include a scenario where the Council is unable to demonstrate a five year supply under criteria (f) or as an additional criteria (g).

### Participation in Hearing Sessions

- 7.5. Vistry Group request to participate in the relevant hearing sessions on Policy APO1, we have raised concerns which would benefit from discussions at the hearing session.

## 8. Policy DMO9: Sustainable Construction and Climate Resilience

Part of Local Plan Representation relates to:	Policy SA01
Do you consider the Local Plan is: Legally Compliant Sound Complies with the Duty to Cooperate	<b>Yes</b> <b>No</b>
Which of the tests the Local Plan fails to meet? Positively Prepared Justified Effective Consistent with National Policy	<b>X</b> <b>X</b>
Do you consider it necessary to participate in the hearing sessions?	<b>No, I do not wish to participate</b>

### Detailed Comments

- 8.1. Policy DMO9: Sustainable Construction and Climate Resilience is not justified or effective.
- 8.2. The Policy states that it relates to all development and states that all development must, amongst other things “minimise carbon emissions during construction”. It is not clear what the threshold is for compliance with this policy. It does not comply with NPPF para 16 as it is not evident how a decision maker should react to development proposals. The lack of clarity about compliance with this policy means that is uncertain whether it has been robustly tested through viability.

### Modifications necessary

- 8.3. Policy DMO9 requires further explanation to be justified and effective.



## Appendix A: Site Location Plan

Key



Site Boundary  
6.21Ha





## Appendix B: Concept Masterplan

- Key**
-  **Site Boundary**  
6.21Ha
  -  **Development Area**  
3.93Ha  
32dph = up to 125 dwellings  
35dph = up to 138 dwellings
  -  **Primary Street**
  -  **Secondary Street**
  -  **Lane**
  -  **Shared Private Drive**
  -  **Public Right of Way**  
Footpath W53/1
  -  **Pedestrian / Cycle Path**
  -  **Off Site Strategic Pedestrian Route**
  -  **Site Access**
  -  **Potential Pedestrian Connection**
  -  **Drainage Basin**
  -  **Play Space (LEAP)**
  -  **Existing Tree**
  -  **Existing Hedge**
  -  **Illustrative Tree Planting**
  -  **Illustrative Hedgerow Planting**
  -  **Illustrative Wildflower Meadows**
  -  **Flood Zone**



Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

**East Midlands**

4 The Courtyard, Church Street, Lockington,  
Derbyshire, DE74 2SL  
T 01509 670806  
E EastMidlands@pegasusgroup.co.uk  
Offices throughout the UK.

# Expertly Done.

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

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales.

Registered office: 33 Sheep Street, Cirencester, GL7 1RQ  
We are ISO certified 9001, 14001, 45001



Pegasus\_Group



pegasusgroup



Pegasus\_Group

**PEGASUSGROUP.CO.UK**