

DRAFT HARBOROUGH LOCAL PLAN (2020 – 2041)



REPRESENTATIONS

REGULATION 19 – CONSULTATION DRAFT

APRIL 2025

Project Name: Harborough Local Plan – Regulation 19

Client Name: Davidsons Developments Limited

Prepared By: B Ward MRTPI

Signed: B Ward MRTPI

Date: 24th April 2025

Reviewer B Ward MRTPI

Signed B Ward MRTPI

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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 Davidsons Developments Limited.

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 Dunton Road, Broughton Astley.

1.1.3 Davidsons Developments Limited has worked and will continue to work constructively with Harborough District Council (“HDC”) as it progresses towards submission and adoption of the HLP and trusts that the comments contained within this document will assist officers in this regard.

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 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 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 Dunton Road, Broughton Astley
- **Section 4** – Development Management Policies (Various)

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 it is 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 of the Leicester Local Plan 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

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

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 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 on 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 LHN calculated using the new Standard Method (723 dpa).

2.1.9 Given the differential between these figures and the fact that differential 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

2.1.10 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 Planning Practice Guidance (“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]

2.1.11 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 dated 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 the overall housing requirement will not secure the number of affordable homes needed at a policy-compliant level.

2.1.12 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 a maximum of 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.

2.1.13 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.

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

Sustainability Appraisal

- 2.1.14 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. As set out in our Regulation 18 representations, we disagree that only meeting the District’s own LHN 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.
- 2.1.15 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.
- 2.1.16 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 sustain this level of development. 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. However, 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.
- 2.1.17 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, we would suggest that the overall quantity of growth subject to further testing 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 Plan area. 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. A total of 475 homes are also proposed on site through Policy SA01 in Broughton Astley.

2.2.2 We agree generally Policy DS01’s apportionment of growth to the Larger Villages and to Broughton Astley, in particular. Such an approach is consistent with the settlement hierarchy, which identifies the Broughton Astley as a settlement as the most sustainable Large Village. Broughton Astley offers a strong selection of essential and supporting services, such as a local supermarket, public transport links, and access to employment opportunities both within the settlement and in nearby areas. That is reflected in its status as the District’s third largest settlement, which is a similar size in terms of population to Lutterworth and performs significantly better than other settlements within its tier.

2.2.3 Given the above, it is hard to understand why Broughton Astley has been apportioned the same level of growth as Kibworth (the sustainability credentials of which are lesser than Broughton Astley) and the Medium Villages. Even the Small Villages have collectively been apportioned 350 homes (though no specific allocations have been made in the Plan itself). This is a considerable number of homes to direct to the least sustainable settlements in the hierarchy.

2.2.4 Whilst we agree that ensuring a balanced distribution of sites between the most sustainable parts of the District is a sound strategy, the contribution of the most sustainable settlements towards the delivery strategy should be proportionate to their credentials. In this case, Broughton Astley has been allocated a similar amount of growth to less sustainable settlements and that does not appear to be justified by the evidence.

2.2.5 We note from the Sustainability Appraisal’s refined options, that RO1 (market towns focus) performs most poorly. We consider that whilst all sustainable settlements should have a role in supporting the growth strategy, new growth should be focused on locations which are or can be made sustainable. By that same token, focusing all growth in one 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.

2.2.6 Notwithstanding the above, in the refined options tested in the SA it is not clear in how the apportionment of growth has been tested between the Large Villages, Medium Villages and Small Villages and what alternatives were considered to the spatial apportionment between these tiers of settlements. An option should be considered that directs more growth to the Larger Villages generally and to Broughton Astley in particular given the settlement’s unique sustainability credentials.

2.2.7 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. Sites in the rural area can make an important contribution to ensuring housing delivery is sustained while strategic allocations come on stream.

2.2.8 As a case in point, Land South of Gartree Road Strategic Development Area is a large-scale development with a prolonged delivery timeline, with many completions expected beyond 2041. This highlights the need for early delivery within the Plan period and a balanced mix smaller sites to maintain housing delivery. Allocating suitable sites in large villages would provide flexibility and contingency, as these locations are among the most sustainable, rather than directing growth toward less sustainable settlements (i.e. the District’s smaller villages).

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 completion 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 large-scale strategic sites. The HLP appropriately recognises 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 a review mechanism 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 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 rural settlements (i.e. large villages) 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 Dunton Road, Broughton Astley

3.1 Introduction

3.1.1 As set out above, Davidsons Developments is promoting Land at Dunton Road, Broughton Astley for residential development. The land under promotion and initial development proposals are shown within the Vision Document 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 As set out in the Vision Document at **Appendix 1**, the site is promoted for development at various scales. It has been evaluated through the Council’s site selection process and has progressed to Stage 4 where a more detailed technical assessment has been undertaken, with the result that the site is not allocated for any scale of development.

3.2.2 The evaluation in respect of each option notes that the site is in keeping with the scale of development identified within the Development Strategy for Broughton Astley. For the smallest option (Option 1), concerns are raised in respect of the proposed access from Dunton Road. For all options, concerns are also cited about how the scale of development would negatively change the countryside edge/setting of the village.

3.2.3 In response to these concerns, Davidsons Developments Limited confirms that access is, indeed, capable of being achieved from Dunton Road and a technical note has been appended by ADC highways consultants to confirm this.

3.2.4 In respect of the impact on settlement form and character, it is hard to reconcile this comment with other parts of the evidence base. The site and its surrounding area lie within the Upper Soar – Broughton Astley Rolling Farmland landscape character area, as identified in the Harborough District Council – Lutterworth and Broughton Astley Landscape Capacity Study (“HDCCS”). This area is assessed as having moderate landscape sensitivity.

3.2.5 The HDCCS provides a more detailed evaluation of the site's capacity to support residential development. It concludes that the northern half of the site, stretching between the settlement and Cottage Lane (Parcel 20), has a high capacity to accommodate development. Meanwhile, the southern half of the site (Parcel 21) is considered to have a medium to high capacity for accommodating change. The study makes the following observation regarding Parcel 20:

“Land Parcel 20 lies on a gently undulating Plateau to the immediate east of Broughton Astley. It lies within the Upper Soar – Broughton Astley Rolling Farmland Landscape Character Area. The Land Parcel does not fall within any landscape designations. Its northwestern boundary is formed by a densely vegetated dismantled railway line. The west boundary is formed by properties to the rear of Dunton Road, with the stretch of the

boundary that lies directly adjacent to the road formed by an established hedgerow. The remaining south and east boundaries to the Parcel are formed by hedgerows with occasional trees.”

“The Land Parcel is well contained from views providing good scope to mitigate development. Strong hedgerows and woodland belts enclose the parcel well and there are no rights of way running through the Parcel, so public views are very limited. There are views from Station Farm, but other private views are limited as the houses that do face it are well set back from the Parcel boundary. There are access routes to Station Farm from Cottage Road which lies to the north and from Dunton Road to the south.”

3.2.6 The existing framework of trees and hedgerow covers can be retained through suitable and sympathetic masterplanning and this is reflected in the emerging proposals within the Vision Document.

3.2.7 In relation to Parcel 21, the study makes the following comments:

“Land Parcel 21 lies on gently sloping land to the south east adjacent the south eastern extent of Broughton Astley. The land slopes down to the north east. It is in the Upper Soar – Broughton Astley Rolling Farmland Landscape Character Area and does not fall within any landscape designations. The Land Parcel lies to the immediate north east of a linear ribbon of residential development off Dunton Road, with the rear gardens forming the south western boundary of the Parcel. The southern boundary is formed by Dunton Road and associated roadside hedgerow. The northern, north eastern and eastern boundaries are framed by trimmed field hedgerows

The Land Parcel is generally well contained from public views, visible only from Dunton Road at the southern end of the row of houses. There are no public rights of way or roads running through the Parcel. The houses along Dunton Road would have private views looking north east across the site from second storey windows.”

3.2.8 The HDCCS dates from 2011. Landscape sensitivity has also been considered in the more recent Landscape Sensitivity Assessment (“LSA”) by LUC dated December 2024. We note that the LSA considers broad land parcels and is less granular than the earlier HDCCS. Nonetheless, the Land at Dunton Road has been assessed and forms part of parcel BY3.

3.2.9 The LSA reports that the largely agricultural, undulating landscape of BY3 lowers the sensitivity of the parcel. It is noted that natural features are limited except for the tree belt along the disused railway. Alongside the lack of historic features and the influence of Dunton Road, the sensitivity of the parcel is lower still. The conclusion is thus formed that the overall sensitivity to residential development is moderate. We would note that this is the same conclusion reached as in respect of BY4, the parcel which hosts the draft allocation for 475 dwellings at Frolesworth Road. Given

the similar performance of both parcels in landscape sensitivity terms and the earlier conclusions of the HDCCS, it is hard to see why Land at Dunton Road has been rejected on landscape and visual grounds.

3.2.10 Davidsons Developments therefore has fundamental concerns in respect of the robustness of the assessment and the decision to reject Land at Dunton Road for an allocation. Access from Dunton Road is possible and the landscape evidence does not support the conclusion that development of the site would have an adverse impact on the setting of the village or the character of the countryside when compared with other options. We request that the site is re-assessed on this basis.

4. Development Management Policies

5.1 Introduction

5.1.1 Below we set out further representations in relation to more detailed, development management related policies. We provide comment in relation to soundness of the following policies:

- Policy HN01 Housing Need: Affordable Homes
- Policy HN02 Housing Need: Mix of New Homes
- Policy HN04 Housing Need: Supported and Specialist Housing
- Policy HN05 Housing Need: Self and Custom Build
- Policy DM02: Amenity and Wellbeing
- Policy DM04: Landscape Character and Sensitivity

5.2 Policy HN01: Affordable Homes

5.2.1 Policy HN01 requires that 40% of the total number of homes in residential developments of 10 or more homes must be affordable. The 40% threshold has been viability tested within the Main Viability Report by Aspinall Verdi dated January 2025.

5.2.2 In terms of the assumptions made in the Viability Report, we have the following comments and observations:

- The allowance for on-site infrastructure is too high. The Report allows for £20,000 per plot but we consider that £15,000 per plot is more reasonable.
- It is not clear what allowance has been made for professional fees for the strategic sites.
- Lower quartile BCIS costs have been used for larger sites due to economies of scale. However, the BCIS data already accounts for the costs and economies of scale typically associated with new build projects. However, it is also important to note that strategic sites are often developed by two or more non-PLC housebuilders. As a result, economies of scale cannot be universally assumed across an entire site, as each housebuilder operates with its own distinct cost base. In the case of our clients, Davidsons Developments and Jelson Homes, they do not experience the same economies of scale as large PLC housebuilders,

despite being active on sites of over 50 units. In addition, it should not be assumed that all developers will aim to deliver the most basic units possible at the lowest possible cost.

- It is not clear how cumulative policy burdens introduced by the emerging plan in respect of custom and self-build dwellings and older persons accommodate has been factored into the viability appraisal.

5.3 Policy HN04: Housing Need – Supported and Specialist Housing

5.3.1 Policy HN02 sets out that all homes will be expected to meet the accessible and adaptable M4(2) Building Regulations Technical Standard. In addition, the policy requires major residential developments to contribute a minimum of 5% market homes to meet Building Regulations technical standard M4(3)A (wheelchair adaptable) and a minimum of 10% of the affordable homes to meet standard M4(3)B (wheelchair accessible).

5.3.2 When the optional technical standards were introduced, the Government stated in the relevant Written Ministerial Statement that their application must be based on a clearly evidenced need for such homes and where the impact on viability has been considered. Specifically, the PPG requires consideration of:

- the likely future need for housing for older and disabled people (including wheelchair user dwellings).
- size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).
- the accessibility and adaptability of existing housing stock.
- how needs vary across different housing tenures.
- the overall impact on viability.

5.3.3 The evidence on need provided is based principally on the District’s ageing population. An ageing population does not necessarily mean that there is an increase in the proportion of households requiring more accessible homes. In addition, an ageing population is a national trend and clearly if the Government had intended for this to justify the introduction of the enhanced technical standards, it would have done so on a national basis rather than allowing adoption on an authority-by-authority basis based on local evidence.

5.3.4 On that point, it is not clear how much of the existing housing stock is either already accessible or capable of adaptation. In some cases, the adaptation of existing stock is preferable, as it enables persons with additional accessibility requirements to remain in their existing homes and communities, without the upheaval of relocating.

5.3.5 Furthermore, as set out below, Policy HN04 requires that 10% of all dwellings proposed on sites over 100 units to come forward for older person's accommodation. Given that the main rationale for including the enhanced technical standards within the HLP is due to the District's ageing population, it should be considered what proportion of the need for accessible units can be addressed through that policy requirement.

5.3.6 This element of the policy is also not currently justified by evidence and needs to be revisited by the Council prior to submission of the Local Plan

5.3 Policy HN04: Housing Need – Mix of New Homes

5.3.1 Policy HN04 requires specialist housing for older people as an integral part of all residential development of 100 dwellings or more. The policy requirement is based upon projected need for older people's housing based on the ageing nature of the population. Beyond this, no further justification is provided, including how the threshold of 100 units and the percentage requirement relates to the overall scale of needs.

5.3.2 Whilst we accept that the council should plan for meeting the needs for older people, we question whether it is appropriate to introduce a blanket percentage requirement across all schemes of a certain size. A large proportion of sites may not come forward at all for older people's accommodation as not all locations will be suitable for this. We note that the policy does not contemplate a scenario where there is a lack demand nor does it make any provisions for the accommodation secured to be delivered as market units should a lack of demand be evidenced.

5.3.3 We would also refer to our comments in respect of Policy HN01 that the viability impact of Policy HN04 does not appear to have been assessed cumulatively with other policy burdens.

5.3.4 For these reasons, Policy HN04 lacks justification and should be reconsidered.

5.4 Policy HN05: Self and Custom Build Housing

5.4.1 Policy HN05 requires that all non-specialist development of 40 dwellings or more must provide at least 10% of the total number of dwellings as custom and self-build plots.

5.4.2 In general, it is not appropriate to require major developments to include provisions for self-builders. Instead, HDC should actively promote self and custom-build housing by identifying suitable locations where such development would be supported in principle or through the adoption of a criteria-based policy. HDC should positively and proactively facilitate land provision through using Council-owned land for self and custom-build projects or designating specific sites for this purpose through discussions and negotiations with landowners.

5.4.3 Integrating self and custom-build plots within large-scale housing developments is challenging, as it is difficult to coordinate their construction alongside the broader site's development. Given

the presence of multiple contractors and heavy machinery on-site, it would be impractical and pose health and safety risks for individual self-build projects to proceed simultaneously with large-scale construction activities.

5.4.4 Given that custom and self-build housing comes forward over a much longer timescale than other forms of housing and is often not liable for Section 106 contributions towards infrastructure the inclusion of a blanket, percentage-based policy can have negative impacts on scheme viability. In this instance, we note that the Main Viability Report has not adequately considered how Policy HN05.

5.4.5 Whilst we are supportive of a mechanism to allow for unsold custom and self-build plots to be built out as market housing following a period of marketing, a marketing period of 18 months from the date at which a serviced plot is available is overly restrictive. Six months should be adequate to test the market and there should be no requirement for a custom and self-build plot to be immediately available in order to validly commence the marketing period.

5.4.6 For the above reasons, Policy HN05 is unsound for want of justification and should be deleted.

5.5 Policy DM02: Amenity and Wellbeing

5.5.1 Whilst we are generally supportive of a policy requirement to safeguard residential amenity, Part 1 a) of the policy refers to ensuring no adverse impact on neighbouring users which cannot be mitigated to an acceptable level.

5.5.2 We recommend deleting the phrase “*which cannot be mitigated to an acceptable level*”, as it introduces unnecessary ambiguity. Development should be opposed on amenity grounds only where it causes material or significant harm to users of nearby land and buildings—not based on subjective thresholds of “acceptability.”

5.6 Policy DM04: Landscape Character and Sensitivity

5.6.1 Whilst we are generally supportive of a policy requirement to address landscape character and sensitivity, Part 1 d) of the policy refers to restoring and providing equivalent mitigation for damaged features and/or landscapes that would be damaged or degraded as a result of development. It is not clear what this element of the policy requires. It is clearly not practical, viable or developable to expect new development to restore or compensate for the loss of landscapes themselves as all new development will, by its nature, have a landscape impact. Landscape features lost can be provided for where practicable.

5.6.2 We propose that Part 1 d) of Policy DM04 is deleted for soundness.

Appendix 1: Vision Document

Appendix 2: Highways Technical Note