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Rep
No:

Proposed Submission Draft Harborough Local Plan 2020-2041 Representation Form



This form has two parts, A & B. Part A only needs to be completed once. Please complete Part B for each Policy you wish to comment on.

Please send completed forms by email to localplan@harborough.gov.uk or by post to: Strategic Planning, Harborough District Council, The Symington Building, Adam and Eve Street, Market Harborough, Leicestershire, LE16 7AG.

The consultation is open from 9am on Monday 10 March and closes at 9am on Tuesday 6 May 2025. Forms received after the closing date cannot be considered.

Part A: Part A only needs to be completed once

1. Personal details

Title

First Name

Last Name

Organisation
(where relevant)

Address Line 1

Address Line 2

Address Line 3

Post Code

Email

[Redacted]

Willoughby Waterleys
Residents' Association

[Redacted]

[Redacted]

2. Agent's details (if applicable)

Title

First Name

Last Name

Organisation
(where relevant)

Address Line 1

Address Line 2

Address Line 3

Post Code

Email

X

Part B:

Please complete a new Part B form for every Policy/Map/Paragraph you wish to comment on

Representation Form

You do not need to return this form if you have sent the same response using the Council's online form for this consultation. Duplicates will not be considered.

Which part of the Local Plan document does this representation relate to?

E.g. Paragraph/Policy/Map/Other

The Whole Plan

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

If you do not consider the Local Plan is sound, please specify on what grounds:

Positively prepared Justified Effective Consistent with National Policy

Please give details below why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the statutory Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the statutory Duty to Cooperate, please also use this box to set out your comments.

We consider the Plan is not sound on all grounds. See attached detailed representations

Continue on next page

Continue on a separate sheet/ expand box if necessary

If your representation is more than 100 words, please provide a brief summary here:

The Plan overstates housing need, relies on unviable and likely undeliverable strategic sites and has not considered alternative more sustainable strategic alternatives of development in the sub-area.

Please specify the modifications needed to make the Local Plan sound/legally compliant
(Please note any non-compliance issue relating to the statutory Duty to Cooperate cannot be resolved through modification at examination).

The Plan is so fundamentally flawed it cannot be rectified by Modifications

Continue on a separate sheet/ expand box if necessary

If your representation is suggesting a modification do you wish to participate at the oral hearing part of the examination?

Yes No

If Yes - you wish to participate at the oral hearing part of the examination, please outline why you consider this to be necessary.

Even though we are not suggesting any Modifications to the Plan we would like to attend the examination.

Harborough DC as well as all the Authorities in The Housing Market Area, have to be challenged on why they have not considered Strategic Alternatives and why they continue to rely on an outdated Strategic Growth Plan that is no longer relevant, due to the non-delivery of the previously stated essential A46 Expressway.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Do you wish to be notified?

When the Plan is submitted for independent examination?

When the Inspector's Report is published?

When document is adopted?

**Please return completed forms no later than
9am on Tuesday 6 May 2025.**

Consultation response to the Regulation 19 Pre-Submission Local Plan of Harborough DC by Willoughby Waterleys Residents' Association (WWRA)

1.0 INTRODUCTION

1.1 Willoughby Waterleys is a small conservation village located approximately 10 miles south of Leicester City centre, currently within Harborough District. The Parish abuts the boundary of Blaby District and is approximately three miles from Leicester City's southern administrative boundary. The Parish is also approximately three miles from the nearest Oadby and Wigston Borough boundary.

1.2 The Residents' Association represents the views of a significant majority of the villagers and was established six years ago, following the adoption of the non-statutory Leicester and Leicestershire Strategic Growth Plan (SGP), by the County's Authorities. WWRA's primary concern is that the Councils of Leicestershire are pursuing an unsustainable strategy for growth. The SGP was predicated on a new A46 Expressway to the south and east of Leicester as part of an upgrade to the A46 cross country priority route. The SGP identified that this essential infrastructure would have provided the opportunity for significant strategic growth, primarily housing.

1.3 WWRA in 2019, proposed an alternative strategy for major growth in the County, (a copy of the report proposing this strategy, follows and forms a major part of our consultation response). This would require significantly less new highway network, would be more sustainable (particularly as it was 8 miles shorter than the south and east A46 route) and hence would be more likely to be deliverable and in an holistic way. It is still relevant and appropriate today. This alternative provides the opportunity for significant sustainable development, (albeit on greenfield) in part as a Sustainable Urban Extension to New Lubbethorpe. This report was shared with all Authorities in the HMA and to this day, we have never received any feedback from any Authority (including Harborough DC) as to why this alternative has been dismissed or whether it has even been considered. Indeed, there is no consideration in the draft plan or supporting documents of any spatial strategy alternatives, other than to refer briefly to the SGP (which only considers strategic growth to the south and east of the city) and the Statement of Common Ground (SoCG) on the allocation of unmet need, issued in 2022. The lack of transparency in the whole process of allocating unmet need then, was and is troubling. Despite repeated requests, WWRA was not able to engage at all on this point, through the SoCG preparation. It never considered alternative Spatial Strategies.

1.4 Every Local Plan must be informed and accompanied by a Sustainability Appraisal. This allows the potential environmental, economic and social impacts of the proposals to be systematically taken into account, and should play a key role throughout the plan-making process. The Sustainability Appraisal plays an important part in demonstrating that the local plan reflects sustainability objectives and has considered reasonable alternatives. In the case of the Harborough Local Plan, WWRA firmly believes that the Sustainability Appraisal should have given full consideration to its alternative strategy for growth in the sub region. If this had taken place then it would have shown that the social, environmental and economic impacts of the WWRA reasonable alternative, are far more sustainably positive than those generated by the SGP proposals. The fact that it did not take place, is a fundamental flaw in the Harborough District plan-making process (as in other Authorities) and undermines the legitimacy of their draft Local Plan.

1.5 The folly of the A46 Expressway route proposed in the 2018 SGP, was eventually realised by Midland Connect who withdrew their support in 2020, citing that it was too long and the benefits did not outweigh the costs. It was stated by them, that a focus on improvements to the western approaches of the city would be pursued. This is entirely consistent with WWRA's alternative strategy and it is our understanding that this policy is being considered by National Highways. **We firmly believe that when this announcement was made, it should have triggered a reconsideration of the SGP growth option to the Priority Growth Corridor (PGC) to the south and east of Leicester. It did not.**

1.6 WWRA has positively engaged in the ongoing Local Plan preparations by Leicester City Council, Harborough DC, Oadby and Wigston and Blaby DC. The Oadby and Harborough Plans now propose strategic allocations in the so called PGC. A policy that WWRA believes is fundamentally flawed for the reasons explained above and expanded upon in these representations.

2.0 LEGAL COMPLIANCE OF LOCAL PLAN

2.1 We make no comments over the legality of the Plan making process, other than to say that in order to meet the transitional arrangements of the new NPPF, there has been undue haste to reach the Reg 19 stage, before 12th March 2025. This rush has contributed to the lack of consideration of alternative spatial strategies. This is further evidenced by the fact that there is no evidence supplied to demonstrate how the required (predominantly transport) infrastructure is to be financed, provided and delivered. A fact highlighted by the Local Transport Authority, Leicestershire County Council in their consultation response.

2.2 In addition, the allocation of Leicester's unmet need relies on a 2022 Statement of Common Ground allocating Leicester's unmet housing need which is now out of date, based on the 2024 NPPF housing targets. And whilst the SGP of 2018 is a non-statutory report, it has no relevance without the previously proposed A46 by-pass and should not be being used as a basis for the allocation of major development to the PGC. This draft Plan and its supporting documentation provide no evidence, certainty of deliverability or even full details of the required infrastructure. The SGP should have been reassessed five years ago, when support for the A46 Expressway was withdrawn.

3.0 SOUNDNESS OF LOCAL PLAN

3.1 WWRA does not consider that the Harborough draft Local Plan is sound and will explain why we reach this conclusion by reviewing the four areas of soundness highlighted in the NPPF. That is, positively prepared, justified, effective and consistent with national policy.

3.2.0 Positively Prepared

3.2.1 To be positively prepared the NPPF quotes a Plan should be "providing a strategy which, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development".

3.2.2 We consider that the Plan proposes more housing than is reasonably required by this definition in the NPPF. It is our view that the numbers stated in the Plan as being required, are overstated by over 1200 homes.

3.2.3 HDC is working under the transitional arrangements of the new NPPF. That is an OAN of 534 homes per annum for 21 years to 2041 and 123 per annum of City unmet need for 16 years to 2036. Whilst we do not accept the principle of the unmet need allocation (see comments in paras 3.2.10 and 3.2.11 below) and we have major concerns over the preparation and approval of the SoCG, we will base our calculation on that level, for these purposes. This equates to a total need of 13,182.

3.2.4 To March 2023 there had been a quoted level of 2,965 completions. The current five-year supply assessment projects 743 for 2023/4 and 582 for 2024/5. Assuming these are correct, we can assume a level of completions of 4,290 for the period 2020-25.

3.2.5 On this assumption, a buffer can be only required on the undelivered element. That is 8,892 homes. The level of buffer is open to debate. At the HDC meeting on 3rd March 2025 officers confirmed that the NPPF does not require ANY buffer. The draft Plan assumes 16.2%. Why so high? HDC has been a delivering Authority. It was 150% for the 3 years to 2023 and if the predictions for the next 2 years are correct, it is still over 130% over 5 years. HDC is NOT an under-delivering Authority and could legitimately argue for no buffer. However, for the purpose of our exercise we will assume a conservative level of a 5% buffer. That is 445 homes.

3.2.6 The draft Plan identifies 5,452 homes as under construction or with planning consent at March 2023 (presumably including additional windfalls since that date). Excluding the assumed two years 2024 and 2025 completions of 1,325 homes, this leaves a balance of 4,127.

3.2.7 The remaining requirement is for a further 5,210 completions to be identified for completion by 2041.

3.2.8 The Plan identifies 6,422. That is an oversupply of 1,212 being provided for no good reason other than it gives a comfortable position for the Authority and officers.

3.2.9 These numbers can be summarised as follows:-

Housing need per annum 2020-2041 21 years at 534 pa	11,214
2020-2036 16 years at 123 pa	<u>1,968</u>
Total Housing Need	13,182
Legal completions from 2020 to 31.3.23	2,965
Legal Completions 2023-25 (as 5 Yr supply)	<u>1,325</u>
Total Completions (2020-25)	<u>(4,290)</u>
Required for Buffer	8,892
Buffer 5%	<u>445</u>
Total future requirement post Mar 2025	9,337
Existing commitments (inc. Lutterworth East/ exc. assumed 24/25)	<u>(4,127)</u>
To find	5,210
New Plan Allocations - Strategic Sites	2,450
- Market Towns	1,670
- Large Villages	1,500
- Medium Villages	452
- Small Villages	<u>350</u> (6,422)
Over supply	<u>(1,212)</u>

This level of over supply is significant and will be relevant when reviewing our further comments, particularly with regard to Strategic Sites. Indeed, the position could be further improved with the inclusion of completions from the SDA of Lutterworth East, which despite having received planning permission a number of years ago does not provide houses until around 2032. Why is this site not coming forward more quickly? And why is it only delivering 150 units per annum? Improvements on this site's delivery would remove the need for an early allocation elsewhere.

3.2.10 We now turn our attention to the allocation of Leicester City's unmet need through the 2022 SoCG. Para 67 of the 2023 NPPF states that "once strategic policies have been adopted" [ie through the SoCG allocating housing requirement in the designated areas (The HMA)] "these figures should not need re-testing **unless** there has been a significant change in circumstances, that affects that requirement"

3.2.11. It is WWRA's contention that the new method of calculating Housing Need in the 2024 NPPF is exactly that and consequently the allocation of unmet need reflected in the SoCG should be re-tested. Particularly given the significant reduction in Leicester City's housing requirements and subsequent reduction in unmet need by over 10,000 homes. The 2022 SoCG consequently should be considered to have no relevance.

3.2.12. In our view these two points alone demonstrate that the Plan has not been Positively Prepared.

3.3.0 Justified

3.3.1. The NPPF states that to be "Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence"

3.3.2. For over five years WWRA has been proposing an alternative growth strategy to all Councils in the HMA, to the west of the City of Leicester. The significance of this alternative became even greater, with the withdrawal of support for a south/east A46 bypass in 2020. It was at this point, that the HMA's Councils should have reconsidered the level of infrastructure necessary to be provided for sustainable development, in the SGP preferred locations and how it could be financed and delivered. If they had done so, we firmly believe that the alternative we have proposed would have been much more likely to be found to provide a more sustainable, viable and deliverable spatial strategy.

3.3.3. The draft Plan concentrates development on a hierarchy of opportunities and we do support this approach to a degree. That is, where it best supports sustainable and deliverable development.

3.3.4 However, the draft Plan continues with the unjustified approach of the strategic locations proposed in the SGP without specific reference to it. As identified by Leicestershire County Council in their proposed consultation response which at Para 41 states “(the Plan) pays only cursory reference to the SGP; it is not a golden thread that runs through it. There is nothing in the policy framework that would give a basis for the Local Planning Authority, the County Council as the Local Transport Authority (LTA) (or as a wider service provider) or any other relevant body to ensure/to require that developers bring forward the growth proposed on the edge of Oadby in such a way as to positively enable the PGC’s wider, longer-term development, let alone to safeguard against the prospect of the growth being delivered in such a way as to fetter or frustrate the PGC’s wider delivery from a transport perspective”.

3.3.5 We will make further comments on the effectiveness of strategic sites in the draft Plan in para.3.4 below.

3.3.6 Despite many attempts by us to obtain clarification on whether the WWRA alternative has been considered by any Authority, we have NEVER received reason for its rejection, let alone whether it has ever even been considered. The Authorities continue blindly following the SGP principles, despite the main plank for its delivery (The A46 Expressway) not progressing. No evidence has been presented in the HDC draft Plan, to justify that the strategic locations set out in the SGP, are the most appropriate, or that this has been compared with any strategic alternatives. This brings into serious question the draft allocation of strategic sites in the PGC.

3.3.7 It is WWRA’s contention that the lack of consideration of alternative strategies by The HMA and HDC is significant and affects the soundness of the Plan. **This together with the lack of evidence justifying the chosen strategic locations to the south and east of Leicester means the draft Plan cannot be considered to be sound from a justified point of view.**

3.4.0 Effective

3.4.1. To be effective the NPPF states the Plan should be “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”

3.4.2. We have grave reservations over the viability of strategic sites not just by HDC but also in the wider sub-region, which questions the deliverability of strategic sites. A point that we also highlighted in our Oadby and Wigston Reg 19 consultation. This is also picked up by Aspinall Verdi in their Viability Assessment supporting the draft Plan and our comments particularly relate to sites S1 and O1.

3.4.3. We can do no more than restate extracts from the conclusions from that report, but the situation is worse than this, as we highlight at para 3.4.5

“Strategic Site Conclusions

7.27 We have carried out a high-level viability and delivery assessment of the strategic sites.....

7.29 The Land between Scraftoft and Bushby (S1) and Land South of Gartree Road & East Oadby (O1) sites were found to be marginally viable, generating a positive Residual Land Value (RLV), **but below the Benchmark Land Value (BLV) per acre.....**

7.31 There was a lack of transparency in respect of minimum land values in option and promotion agreements across the strategic sites assessed. This increases the risk (Red/Amber/Green rating) of the site(s).

7.32 We strongly encourage those who have not yet engaged, to participate in these discussions and provide transparency regarding their option agreements, minimum land values, and any potential infrastructure costs. The collaboration is crucial to the successful planning and development of these strategic sites.

7.33 We recommend that no sites are formally allocated until the site promoters have been fully transparent on the land agreements. **Failure to obtain this information (in accordance with PPG Viability paragraphs 014 and 016) could risk ‘holding the Plan to ransom’.....**

7.34 The s106 and education contributions associated with the strategic sites are of central importance to their viability and deliverability based on our current appraisals. As such, it is important that the S106 contributions expected for each of the strategic sites are clarified. This will ensure that the Council do not set reduced policy expectations for the sites, on account of education contributions which may be adjusted in due course.

7.35 We would not recommend making any policy concessions until (i) the education and all other S106/S278 costs are known; (ii) there is full transparency on minimum land values; (iii) updated appraisals have confirmed

the viability position.”

3.4.4. This summary of the uncertainties of two of the bedrock sites in the Viability Assessment is damning. The details from Landowners on minimum land values appear still not to have not been shared. **The Viability Assessment Report is clear – Allocations should not be made until they have done so. And yet the sites are included!**

3.4.5. We wish to highlight a number of weaknesses and omissions in the Aspinall Verdi Viability Assessment modelling, which will further exacerbate the strategic sites’ viabilities.

1. The modelling assumes a developers profit margin would be 17.5% on market housing. It is known that a margin of 20% at least would be expected by a speculative developer on such large scale developments, to reflect risk. This is endorsed by the Oadby and Wigston Viability Assessment Report which correctly (in our opinion) uses 20%.
2. Again, the profit margin at 6% for Affordable Housing is too low. The margin expected would more likely be 15%, to reflect risk, especially given the funding difficulties that Registered Providers are currently experiencing.
3. The viabilities do not take account of all the necessary infrastructure, particularly with regard to Highways and Transport. They cannot, because it has not all been identified, quantified and costed as highlighted by the County Council’s representations.
4. There are future costs coming to the House building industry which are not included and will be relevant. Firstly, The Safety Levy, which will be introduced on new developments in Autumn 2026. We estimate that this will be approximately £7m on site O1. Secondly, increased service connections charges from 1st April 2025. We estimate that this could be circa another £6m on site O1. These are known and will apply. Other inflationary pressures will also affect future viability.

To highlight these points, we summarise the viability for site O1 as shown on page 86 of the report and what it potentially would look like with these further items included. We have no reason to doubt the levels of general cost items or expected revenues.

	<u>£M Aspinall Verdi</u>	<u>£M WWRA</u>
Gross Development Value	<u>1108.4</u>	<u>1108.4</u>
Developer Profit	<u>164.7</u>	<u>208.9</u>
Costs - Build £144/ft sq	554.5	
- Sales costs	21.5	
- Externals/Roads/Services	76.9	
- Part L costs	24.0	
- Cat 4 costs	11.5	
- BNG	4.8	
- known s106 Costs (£17656 per plot)	70.6	
- Priced infrastructure as Infra. Delivery Plan	38.7	
- Other Costs	<u>91.1</u>	
Total Costs	893.6	893.6
Safety Levy £3k (average on 2400 homes)		7.2
Increased Service connections £1.5k on 4,000 homes		6.0
Unidentified and unpriced further Transport and Highway Improvements		<u>exc.</u>
Amended Costs at least		906.8
Residual Land Value	<u>50.1</u>	<u>(7.3)</u>
Benchmark Land Value	<u>63.5</u>	<u>63.5</u>

This demonstrates that we start the Plan making, knowing that major strategic sites are not going to be policy compliant. Affordable housing at 40% will not be delivered and sites may not be delivered at all, once we know the fuller implications of the as yet unidentified transport infrastructure.

Indeed, Para 66 of the NPPF stipulates that Affordable Housing could be as low as 10% as an absolute minimum. It is our contention that even as low as this provision, there is real uncertainty over whether the BLV is exceeded. Until the necessary (to make sustainable) Transport and Highways requirements are fully identified, quantified, costed and shared across specific Allocations, this question is almost impossible to answer. What is certain is that the 40% Affordable Housing cannot be provided on the medium value strategic sites.

3.4.6. One of the most significant cross boundary strategic matters relates to new highway provision. There is no evidence to demonstrate that this is to be, or can be, delivered in the plan period to sustainably support the significant strategic development proposed both in the city and to its south and east. There is nothing to outline how Harborough DC will plan, fund and deliver the necessary cross boundary infrastructure. If this is to ever be delivered, a cross-boundary CIL policy with all Authorities in the HMA would be most appropriate, affecting viability further. We see with interest, that a CIL policy is being suggested by the Inspector examining the Charnwood local plan.

3.4.7 To further highlight the concerns over strategic sites' deliverability on viability grounds, we highlight a number of recent nearby local events which exemplify the point.

1. **New Lubbesthorpe**, a Sustainable Urban Extension in Blaby District. In addition to taking years longer than expected to come forward, it is not delivering homes at the rate anticipated. The rate is now so poor that Blaby District (without an up-to-date Local Plan) has no demonstrable 5-year housing supply as a result.
2. **Lutterworth East** was granted Outline Planning Permission for 2,750 houses a number of years ago. Leicestershire County Council, as land owner, submitted an application to reduce the affordable housing requirement and increase the capacity of B8 use, on viability grounds. The former was subsequently approved by Harborough. **This sets a (probable) binding precedent across the County (and certainly in HDC), that any strategic sites are likely to be argued as unviable if they are to provide 40% Affordable Housing.**
3. **Scraptoft North** is another example of a strategic site proven to be unviable. Allocated in the current Harborough Local Plan for 1,200 homes, its delivery has been bedeviled by delays caused by its viability being challenged. Consequently, it is removed from this draft plan and its non-delivery is the primary reason why HDC has had to declare that it no longer has a 5-year supply of deliverable housing land.

3.4.8 Major uncertainty over viability and delivery over the allocated strategic sites, therefore means the whole Plan cannot be considered to be Effective.

3.5.0 Consistent with National Policy

3.5.1 Under the NPPF, for a Plan to be found sound it must enable "the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant"

3.5.2 We have demonstrated that in our opinion the draft Plan has not been prepared soundly on three major issues and therefore cannot be considered to be consistent with National Policy. In particular:-

1. We have demonstrated that HDC's housing target is overstated by 1200 units (when using a more modest buffer). Despite being a delivering Authority in terms of housing need, a 16% buffer has been used. HDC has approved a major site at Lutterworth East already. This site continues to underperform with still no completions for a further 8 years forecast. This despite HDC relaxing policy (unjustifiably in our opinion). Concentrating on this site's delivery and reducing the buffer, would make a significant difference on the need to bring forward sites whose sustainability credentials and viability are not proven (i.e. site O1). This makes the Plan not sound on positively prepared grounds.

2. There has been no evidence presented, showing consideration of alternative spatial strategies. WWRA's alternative spatial strategy in the sub-area warrants serious consideration and there has been none as far as we can see. The commitment is to the non-statutory SGP which is flawed without the Expressway or an alternative proposition. This is evidenced by the following extract from the County Council's consultation response and adds weight to our argument that the Plan is not soundly Justified.

"There is no evidence to demonstrate how the appropriate and necessary infrastructure is identified or is to be delivered holistically and in a timely manner, to support strategic development either in Harborough District or in adjoining Authorities. However, the Plan as a whole, lacks any coherent approach to seeking to address the issue of its transport impacts overall. For example:

- The policies are currently weakly worded in terms of providing a robust basis for the coordinated delivery of transport measures required to address the Plan's cumulative transport impacts, particularly on the A6 corridor.
- In respect of the growth proposed on the edge of Oadby, the policies are similarly weak in terms of the delivery of transport measures without the district i.e. to address cross-boundary impacts such as within and through the district of Oadby and Wigston and within the City of Leicester.
- Policies that reference or relate to transport are fairly generic; for example, there is no proper integration of the Market Harborough Transport Strategy (or Multi-Modal Area Investment Plan as it will morph into) nor consideration of the potential need for an expansion of the South of Leicester Local Cycling and Walking Infrastructure Plan.

54. The absence of a coherent policy approach to dealing with the Plan's transport impacts, in particular along the A6 corridor, risks undermining its effective delivery and could have wider implications for the effective delivery of emerging Local Plans in adjoining areas, most particularly in the district of Oadby and Wigston.

55. It also does not comply with the County Council's third local plan engagement principle approved by the Cabinet in October 2024, i.e. the Plan does not have sufficient policies to reflect the challenges of that plan, specific to highways and transport.

56. Furthermore, at present the Plan lacks any coherent approach to seeking to secure developer contributions towards the delivery of transport measures necessary to address cumulative and/or cross-boundary impacts."

3. There is **REAL** concern over the viability and consequently deliverability of strategic sites in particular, as we have set out and evidenced by the examples highlighted. This is reinforced by the admission in HDC's own Viability Assessment, that at the very least, two major sites are marginal and coupled with no knowledge of minimum land values, they should not be allocated.

3.5.3 These three factors together, are so serious that the plan cannot be considered to be Consistent with National Policy.

4.0 DUTY TO CO-OPERATE

4.1 We are aware that all the County's Authorities meet regularly through the Members' Advisory Group, to agree where possible, County wide policy. This resulted in the production of the SGP in 2018 as well as a number of Statements of Common Ground over recent years. (Not necessarily in a timely manner! HDC took 18 months to sign the SoCG on unmet housing need).

4.2 Whilst there is evidence of collaborative working, where ALL of the Authorities in The HMA have failed, is that they have not demonstrated that they have given serious consideration to any Alternative Spatial Strategies. This became all the more significant when in 2020 consideration of the main plank of the SGP, the Expressway, was dropped from consideration and no thought has or was given to a change of strategy.

4.3 This failure is so significant we do not consider that the duty to co-operate can be deemed to have been complied with.

5.0 POSSIBLE MODIFICATIONS

5.1 It is the view of WWRA that the issues raised in our consultation are so significant, that Modifications are not likely to result in a "Sound" plan.

5.2 In particular the lack of consideration of Alternative Spatial Strategies, which subsequently impacts on the allocation of unmet housing need, and the concentration and reliance on unviable and hence undeliverable

large-scale development, is fatal to the soundness of the Plan.

5.3 Concentrating development to the south and east of Leicester has not been demonstrated as the most sustainable option. It relies on massive infrastructure requirements, which are still not fully identified or costed. Those costs' inclusion in any site's viability will make deliverability even more uncertain and unlikely than already assessed.

5.4 The Government's clear objective is to achieve a greater level of housing delivery in pursuit of its overall target to build 1,500,000 houses by 2029. We have not been convinced that Harborough DC will be able to play its part, based on the evidence in the draft Local Plan.

5.5 When looked at in total, the whole strategy of allocating development as shown in the SGP, must be reviewed, particularly considering the fundamental change as a result of scrapping the possibility of support for the new A46 Expressway. It is absolutely critical that the delivery of ALL necessary strategic infrastructure is certain before ANY strategic development is allocated.

6.0 CONCLUSION

6.1 Given the very real concerns raised over soundness, particularly with regard to sustainability and deliverability, it is the strong view of WWRA that the Local Plan is not based on a sustainable approach to the delivery of development over the Plan Period. It is flawed because of the way it seeks to distribute its housing requirement and reliance on unviable large scale strategic allocations.

6.2 Without significant review and changes, examination of the Local Plan should conclude that it has not been prepared in a positive way and it promotes unsustainable patterns of development in Harborough and the sub-region.


Chair
For Willoughby Waterleys Residents' Association
April 28th 2025

STRATEGIC GROWTH IN LEICESTERSHIRE— ANOTHER WAY?

A report prepared by Willoughby Waterleys Residents Association
July 2019

Updated Feb 2021 in black italics

Updated Feb 2024 in red italics

PURPOSE OF REPORT AND INTRODUCTION

This report has been prepared by the Committee of Willoughby Waterleys Residents' Association following a meeting held with the Leader of Leicestershire County Council, Nick Rushton. The meeting was also attended by Ian Vears, Assistant Director of Highways and Transportation and David Briscombe, Policy Advisor to the Executive. At that meeting, held on 16th July 2019, WWRA outlined what the implications of the Leicestershire Strategic Growth Plan (SGP) may be and presented a plausible alternative, which should be given serious consideration, before any commitment is included within any of the Local Plan reviews of the County's Local Authorities.

The County Council's representatives agreed that they would share this report with the Midlands Connect advisory panel to the Midlands Engine and the Members' Advisory Group to the Strategic Growth Plan.

The updates in italics were added in February 2021 for the purposes of the Blaby DC Reg 18 Local Plan consultation.

The updates in red italics were added in February 2024 for the purposes of the Harborough DC Reg 18 Local Plan consultation.

WHAT IS THE WILLOUGHBY WATERLEYS RESIDENTS' ASSOCIATION?

Willoughby Waterleys is a small south Leicestershire Conservation Village, located in Harborough District, whose northern boundary adjoins Blaby District.

The Residents' Association was established in 2018 and has 175 members with membership from 90% of homes in the village, recognising the grave concerns over the SGP and they wish to engage in influencing how strategic growth can be provided.

The Association's members recognise the County's need to plan for economic growth and accept that new homes are required. Its members are NOT militants but are seeking to ensure that planning policy is fairly and appropriately applied and that ALL feasible alternatives are thoroughly investigated before commitment to any element of the SGP.

To date, WWRA has taken initial Transport, Planning and Legal advice. The cost has been significant, and members have funded all advice through the collection of subscriptions and donations. Lobbying of Councils from a number of Parishes, Districts, County and MPs has been undertaken primarily to set out WWRA's thoughts on an alternative SGP proposition.

Discussions continue with other groups who have made their objection against the contents of the SGP clear, but it is apparent that there are different concerns to different bodies and not all have a clear strategy on how to respond to the SGP's proposals.

Membership of WWRA remains strong and members have continued with necessary fund raising to employ professional advice, which most recently paid for its representations to the Blaby DC Reg 18 Local Plan consultation.

The membership continues to be strong and further funds have been promised by members to continue with relevant representations.

MIDLAND CONNECT

Before considering the SGP, it is necessary to understand the rationale for upgrading the A46. This is set out in the Stage One report prepared by Midland Connect. That report sets out the desire to future proof the A46 to offer a resilient and reliable alternative to the motorway network, particularly for business and freight traffic, whilst offering the opportunity for new development.

Ensuring predictable journey times for A46 traffic from the south west to north east is a key part of the Midland Connect report. To achieve this around Leicester, it has been proposed that a south/east A46 bypass be provided around the City. One of the identified issues, is the weight of traffic using J21 of M1. The alternative proposed in this report would also achieve all of these objectives.

The second stage report from MC, due later this year, will further evaluate the merits of improvement schemes and will eliminate those schemes whose cost will outweigh the economic benefits. It is our belief that the cost of a south/east by-pass will be too expensive and will out-weigh the economic benefits. All the more so, given the possibility of a cheaper alternative being available.

The MC Stage 2 report in to the A46 route upgrade, was delayed and issued in Autumn 2020. It clearly stated that there were no benefits to the Strategic Road Network with the construction of a south and east by-pass Expressway, which would increase journey distance by 36%. Consequently, MC stated that their focus for improvements would follow the proposals already set out by Highways England, that is improvements to the "Western Approaches" and the existing A46 northern by-pass.

We are unaware of MC's further involvement in the provision of new major infrastructure to the south and east of Leicester which would be needed to support strategic growth.

STRATEGIC GROWTH PLAN PROPOSALS

The SGP was approved by all the Councils in the Housing Market Area (HMA) by the end of 2018. Whilst there was a consultation, WWRA came too late to be able to input into its preparation. The members of the HMA latched on to the possibility of a South /East bypass and made this the main plank of both the draft and final versions of the SGP. It identified that the construction of such a road could open the possibility of major development opportunities and could provide 38,000 new homes and associated Employment Land all by 2050.

What the SGP did not do is outline any alternatives. The construction of a south/east route will require significant funds and as the SGP identified will require significant Government funding if it is to be constructed in full. What are the County's Authorities' plan if funds are not made available?

A coordinated County wide solution is essential if new infrastructure is to be maximised and unsustainable development is to be avoided. We are aware that some Councils are now reconsidering their support to the SGP. This has the potential to derail the whole SGP.

WWRA has a more sustainable, cost effective and deliverable alternative that must be fully explored before any Authority proceeds with its Local Plan review and believes should be considered by all stakeholders. It could even bring back on side, wavering Councils.

Our predictions about an alternative to the SGP proposals still hold true. Now that the Expressway proposal has been dropped, what is the MAG's Plan B for strategic growth in the County? It is our understanding that the MAG is considering the possibility of lower class of road infrastructure. It is known that Harborough DC's support for the SGP was conditioned on the provision of an EXPRESSWAY and therefore its support cannot be relied upon, without an approved change of policy.

We note that HDC's support for the SGP was conditioned on the provision of the Expressway. There has been no formal adoption of a change of policy by HDC to amend this. There has still been no consideration of alternative strategies for future growth, including our proposal. This is a fact that we will make known, at all future relevant Examinations.

LIKELY ROUTE OF SOUTH/EAST A46 BY-PASS

Before exploring the alternative, it is necessary to attempt to understand the likely route of the south/east by-pass.

It is our belief that the route of any Expressway would start at J2 of the M69, proceed to the south of Sapcote, the north of Broughton Astley and cross the M1 (J20A) at the intersection of the M1 and A426. It would then skirt past Willoughby Waterleys to the north, in close proximity to the village associated with the possible Garden Village. The route then is determined by avoiding Great Glen and Houghton on the Hill. We believe that the high ground to the west of Houghton on the Hill is a significant barrier and that any route would therefore have to go to its east, which determines that the route goes to the south of Great Glen.

From the A47 the Expressway would pass through the highly valued High Leicestershire Landscape before reconnecting with the existing A46. There is no possibility of the road joining the A46 at The Hobby Horse roundabout and therefore would need to be constructed linking to the A46 north of Syston, probably squeezing between Queniborough and Syston.

The proposed route would be approximately 25 miles long, probably include significant junctions at the M1, A5199, A6, A47 and A46. It would cross two railway lines, a canal, pass through significant flood plain areas and many high quality and sensitive landscape areas.

Given MC's withdrawal of consideration of the Expressway to the south and east of Leicester due to distance, we believe the route outlined above was, in general, accurate.

ALTERNATIVE ROUTE PROPOSITON

One of the main criticisms of the SGP is that there is no consideration of a Plan B.

If an economic argument is proven, to seek to find an efficient means of providing through traffic from the SW to NE past Leicester, then all alternatives should be considered.

WWRA have come up with a credible alternative which has received initial encouragement from many political leaders and should be fully investigated before the SGP is used, to influence any Local Plan reviews.

The proposal is to construct a new junction on the M69 midway between J2 and the M1 at J21. A new Expressway would then head initially in a NW direction and then arc round to the NE passing Desford and then proceed between Ratby and Kirby Muxloe. The existing levels at the M1 would allow the new road to pass underneath and then connect in to the existing A46 Northern by-pass.

Highway improvements would most likely be required to the Northern by-pass and also to the Hobby Horse roundabout. Early improvements at this very busy roundabout, would give immediate relief, given the heavy congestion which is present and could be undertaken prior to any decision on a route.

This route could also provide a connection in to the A47/B582 local network and provide improvements at an already difficult junction.

Such a route would have significant advantages as set out below. We have sought to find a solution that minimises environmental impact, alleviates pressure at the key Junction 21 of the M1 and yet still finds development opportunities, whilst assisting in the upgrading of the A46.

The route outlined here still holds true. It is relatively short, it means traffic is diverted away from the busy stretch of the M1 (J21-J21A) and coupled with improvements to the existing A46 northern by-pass section, would provide greater certainty for journey times on the A46. Added to which it would capture a significant development opportunity as a Sustainable Urban Extension to New Lubbesthorpe.

Nothing has changed. This alternative route is easier, more cost effective, sustainable and therefore deliverable, than the SGP proposals.

ADVANTAGES OF WEST AND NORTH ROUTE

There are significant advantages with this proposal not least of which is that it is 6 miles of new road not 25 miles, with the resultant major cost saving for Government.

The through route for SW to NE traffic from J2 of the M69 to the A46 would be approximately 17 miles, a full 8 miles shorter than the SGP proposal. The environmental impact improvement, from traffic movement over the lifetime of the road, would be massive on this point alone.

The route would avoid many high-quality landscape areas not least High Leicestershire. It is acknowledged that the alternative route would affect some rural areas, but this will have significantly less impact than the SGP proposed route.

The route would alleviate pressure on M69/J21 of M1 interchange with the through traffic avoiding the M1 completely.

Another advantage would be a massive reduction in environmental impact on the County and would assist in maintaining the balance between highly business focussed in the west of the County and the more rural character to the south and east of the County.

All the advantages listed still hold true and we can only surmise that with the change of view by MC, they agreed with the drawbacks we identified above, for a southern and east by-pass route.

Again, nothing has changed.

WHERE WOULD DEVELOPMENT GO THEN?

For an alternative to be given serious consideration, thought must be given to longer term economic growth. Constructing the western route, would capture an area between it and the existing Principal Urban Area and New Lubbesthorpe. This land could conservatively provide 12-15,000 new homes as a Sustainable Urban Extension to New Lubbesthorpe. In addition, employment opportunities could be envisaged with some being attached to that existing at Desford.

Household projections are untested post the District Councils' Local Plans. The Government is now insisting on using outdated household projection assumptions. The baseline is provided by national household projections (2014 Basis). It is acknowledged by all, that later assumptions (2016 basis) would provide generally lower requirements. The SGP objectively assessed need, comes from HEDNA (2017). This demonstrates that projections are constantly changing, and assumptions applied over the long period of the SGP are not likely to be accurate. Latest forecasts should therefore be used in calculating household need and reflected in plans.

The SGP provides the framework for the allocation of Leicester City's unmet need. Yet the City Council cannot confirm that need. A draft local plan is possible later this year to give an idea, but until the Plan is adopted no Statement of Common Ground between the Councils in the HMA can be concluded and therefore any Local Plans being reviewed, elsewhere in the HMA are unable to reflect Leicester's shortfall. In addition, until the City's plan is tested, it cannot be assumed that they will have exhausted all opportunities to maximise density and the use of all brownfield opportunities.

The final point relates to the length of view of the SGP. Why are we looking 31 years ahead? The requirement is for Authorities to have a plan with 15 years life span.

Household projections are based on an outdated HEDNA. We understand a review is to be undertaken. Leicester City issued a draft Local Plan in 2020 and consultation ended in December 2020. It identified a potential unmet need of circa 7800 homes. WWRA submitted a response challenging the level of this need, citing inconsistent density assumptions, inefficient land usage and even addition errors! Adjoining Authorities in the HMA submitted similar representations. Until a revised plan is issued and Examined at Inquiry the level of unmet need is undefined and open to challenge. Following this a Statement of Common Ground needs to be prepared and consulted upon before allocating unmet need of the City.

There has been only slow progress over the last three years since this report was last updated. Leicester City's Reg 19 Submission eventually took place in September 2023 when it confirmed that its unmet need was now circa 18700 homes. The increase was as a result of the 35% uplift imposed by central government. It is interesting to note that the City's unmet need increased precisely by the 35% uplift, demonstrating no attempt

has been made to supply for their additional needs. This is completely contrary to the government's intentions and policy.

A Statement of Common Ground allocating the unmet housing need was eventually signed by HDC in December 2023, too late to demonstrate that the Duty to Co-operate had been complied with, for the City's Plan submission. This has the potential to make the City's Plan not sound a fact that we shall highlight to the Inspector at the Examination.

The delays in progressing the City's Plan have also had an impact on Blaby DC, who have chosen to delay their Reg 19 submission until the City Plan is further progressed, presumably to clarify the unmet need allocations. This has had the result that Blaby no longer has a demonstrable 5 year land supply. Speculative planning applications have already been submitted as a result.

TIMING OF THE NEXT STEPS

Reviewing of alternatives to the SGP need to be carried out with some haste.

We know that the Stage 2 report from Midland Connect is important to guide whether or not significant infrastructure should be further considered around Leicester. We understand that this may still be a couple of months away.

The Councils currently reconsidering their stance to the SGP will no doubt come to a conclusion in the near future. Implementing cross boundary strategies where support has been withdrawn will become difficult. It is also known that local Westminster support is not in agreement with the present SGP proposals.

Of significance is the Blaby DC local Plan which is now being reviewed. Whilst this is currently at Issues and Options stage, Blaby is seeking to have a draft plan issued relatively soon. Changes to the SGP would mean abortive work. We know of the Garden Village status award for Whetstone Pastures, which will no doubt be expected to be included in the draft plan. Changes to the infrastructure envisaged in the SGP could mean the progression of unsustainable development proposals. Should this occur it would be open to challenge at Inquiry. It is therefore important that infrastructure alternatives should be seriously reviewed in the short term. *We have seen no evidence that alternatives to the Strategic Locations for future development identified in the SGP have been considered, evidenced by the total lack of formal response to our alternative Spatial Strategy option. We stand by our assertions, that the alternative outlined in this document is more viable, more sustainable and more deliverable, to that set out in the SGP.*

We note that still no alternative spatial strategies, to that shown in the SGP, have been considered. By not doing so, all the Authorities are opening themselves to criticism, a fact we shall exploit at the appropriate Examinations.

CONCLUSION

This report has been prepared to highlight a more cost-effective sustainable alternative to the proposals contained in the SGP and been prepared as requested by County Council officials.

It has identified a cheaper, more sustainable alternative which will have significantly reduced impact on many parts of the County, whilst still providing significant opportunities for economic growth in the longer term for Leicestershire. It is important to give consideration now, before some elements are progressed further, resulting in abortive or unsustainable development.

The Committee of Willoughby Waterleys Residents' Association request that this report be shared with Midland Connect and The Members' Advisory Group as agreed and look forward to the response from those bodies and the County Council.

We remain available to discuss further our thoughts with any member of the MAG or with the MAG committee itself

We remain staggered that despite us raising the possibility of an entirely plausible strategy, that we have never been asked to elaborate, nor ever received an explanation as to why it is not appropriate. We remain available for discussion with the MAG or with any of its member Authorities.

**Chair
For Willoughby Waterleys Residents Association**

31st July 2019

Updated 1st March 2021

Updated 9th February 2024