



# **Harborough Proposed Draft Local Plan 2020 – 2041 (Regulation 19 Consultation)**

Land off Frolesworth Road, Broughton  
Astley

May 2025

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## Harborough Proposed Draft Local Plan 2020 – 2041 (Regulation 19 Consultation)

<b>Revision</b>	<b>Description</b>	<b>Author</b>	<b>Date</b>	<b>Quality Check</b>	<b>Date</b>	<b>Independent Review</b>	<b>Date</b>
1	Final	SL	May 2025	GJ	May 2025	KV	May 2025



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# 1 Introduction

## 1.1 Introduction

- 1.1.1 Stantec is instructed by IM Land to prepare representations to the Harborough Draft Local Plan 2020 – 2041 (Regulation 19) consultation, including relevant documents within the evidence base.
- 1.1.2 These representations follow the structure of the Draft Local Plan consultation documents and seek to respond to the questions posed within the document, where relevant.
- 1.1.3 IM Land are working collaboratively with the landowners to bring forward a residential led development at Land off Frolesworth Road, Broughton Astley (the 'Site'). The Site is proposed as a housing allocation in the Draft Local Plan as Site Allocation BA1 (Land off Frolesworth Road).
- 1.1.4 IM Land **support** the allocation of the Site in the Draft Local Plan and welcome the Council's recognition of its suitability for development.
- 1.1.5 These representations relate to the following Draft Harborough Local Plan 2020 – 2041 Regulation 19 consultation documents:
- Harborough Draft Local Plan 2020 – 2041;
  - Harborough Draft Policies Map;
  - Harborough Draft Sustainability Appraisal;
  - Harborough Proposed Submission Draft Evidence Base Documents.
- 1.1.6 The following supporting documents are appended to these representations:
- **Appendix A** – Site Location Plan
  - **Appendix B** – LLFA Pre-Application Discussions
  - **Appendix C** – LCC Highways Pre-Application Discussions
  - **Appendix D** – National Highways Pre-Application Discussions
- 1.1.7 Whilst the Site is proposed as a draft allocation for 475 dwellings, it is worth noting that Land off Frolesworth Road has the capacity to deliver up to 550 dwellings, alongside land for a primary school expansion, a community facility, land for the potential expansion of Frolesworth Road Recreational Ground, a parking area to serve Frolesworth Road Cemetery and public open space. The proposed allocation of the Site forms a logical extension to the settlement of Broughton Astley and will see the delivery of an attractive, high quality and locally distinctive place to live.
- 1.1.8 IM Land welcome the opportunity to comment on the Draft Local Plan and look forward to engaging with the Council further in respect of the delivery of the Site.



## 2 Land off Frolesworth, Broughton Astley

### 2.1 The Site Context

- 2.1.1 The Site is shown outlined in red on the Site Location Plan (Drawing No. BM-M-01) which can be found at **Appendix A**. The Site extends to approximately 42.6 hectares and is comprised of agricultural / pasture land. To the north of the Site lies existing residential development in Broughton Astley, with Frolesworth Road Recreational Ground situated to the north east. The eastern boundary of the Site is bordered by Frolesworth Road. To the south and west of the Site are agricultural fields and Frolesworth Road Cemetery adjoins the south western corner of the Site.
- 2.1.2 Access to the Site is currently afforded off Frolesworth Road which provides wider connections to the A5 and the A426. In terms of train stations, Narborough Train Station is located approximately 6.4km to the north of the Site and provides wider connections to Birmingham, Leicester, Cambridge, Peterborough and beyond.
- 2.1.3 Public Right of Way (PRoW) W60/2 runs through the Site in a west to east direction and PRoW W48/4 adjoins the northern boundary of the Site. As part of the proposals, the opportunities will be taken to connect and improve these existing PRoW's to further enhance pedestrian and cycle connectivity from the Site to existing facilities and services in the area.
- 2.1.4 In terms of flood risk, the Site is located within Flood Zone 1 and therefore has a low risk of flooding. The majority of the Site is at a very low risk from surface water flooding. There are nominal parts of the Site, most noticeably at the eastern end of the Site adjacent to Frolesworth Road, which are subject to low, medium and high surface water flood risk, however this can be mitigated through the drainage strategy. IM Land has a full and experienced consultant team appointed to the project.
- 2.1.5 There are no designated heritage assets located within or adjacent to the Site. The Site is free from any formal ecological designations.
- 2.1.6 In terms of other Site considerations, there are existing overhead powerlines on the Site that run in a south-west to north direction. However, the Site has been sensitively designed on this basis and a sufficient buffer and open space has been incorporated into the proposals.

### 2.2 The Development Proposals

- 2.2.1 The development proposals at Land off Frolesworth Road, Broughton Astley, seek to provide residential dwellings in a range of types and tenures, land for a primary school expansion, a community facility, land for cemetery parking, land for the potential expansion of Frolesworth Road Recreational Ground and public open space. It is anticipated that an outline planning application will be submitted for the Site later this year.
- 2.2.2 The Site seeks to deliver the following benefits:
- The delivery of residential dwellings (potential capacity of up to 550 dwellings) in a range of housetypes and tenures to suit all local needs;
  - The provision of 40% affordable housing;
  - Incorporation of a responsive design that reflects local distinctiveness and Site context;
  - New vehicular access from Frolesworth Road;
  - Development parcels nestled within high quality open space;



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- Primary and secondary movement routes that ensure connectivity throughout the development, including the delivery of new and enhanced pedestrian and cycle connections through the Site to the surrounding area;
- The opportunity to expand the adjacent Orchard C of E Primary School;
- The opportunity for a new community facility to benefit both the existing and proposed community;
- The addition of new cemetery parking to serve Frolesworth Road Cemetery;
- Retention and enhancement of existing soft landscape features where possible to enhance biodiversity and maintain Green Infrastructure within the Site;
- Large portions of public open space, including a sufficient easement under the overhead powerlines;
- The delivery of 10% Biodiversity Net Gain; and
- The provision of SuDS and drainage infrastructure to help reduce flood risk onsite and in the locality.

2.2.3 As demonstrated by the Site's draft allocation in the Regulation 19 consultation, it is considered that the Site has no known constraints within the development area which cannot be mitigated. This is supported by the technical evidence base documents that have already been submitted to HDC to inform their assessment of the Site and its consideration as a draft allocation in the Draft Local Plan.



## 3 Proposed Draft Local Plan Submission Document – Regulation 19

### 3.1 Local Plan Vision

- 3.1.1 The Local Plan vision for Harborough sets out the Council’s vision for how the District will evolve from the period 2020 – 2041. The Council state that “*by 2041, the communities and residents of Harborough District will have benefitted from the development of new homes and workspaces whilst the place maintains its mainly rural character*”. IM Land **support** the recognition by the Council that the delivery of new homes will bring about a range of benefits for residents and the local community.
- 3.1.2 Paragraph 22 of the National Planning Policy Framework (‘NPPF’) (December 2024) informs that strategic policies should look ahead over a minimum 15 year period from adoption to anticipate and respond to long-term requirements and opportunities. The Council issued an updated Local Development Scheme (‘LDS’) (February 2025) on 3<sup>rd</sup> March 2025 which sets out the timetable for the preparation of the new Local Plan. The LDS proposes the following timetable:
- Regulation 18 Issues and Options Consultation – January / February 2024;
  - Regulation 19 and 20 Proposed Submission Local Plan Consultation – March – May 2025;
  - Regulation 22 Submission Local Plan for Examination – September / October 2025; and
  - Regulation 26 Local Plan Adoption – October – December 2026.
- 3.1.3 As currently proposed, the LDS recognises the need to comply with paragraph 22 of the NPPF and anticipates that the new Local Plan will be adopted by December 2026. A Plan period of 15 years is therefore proposed to 2041. Albeit should any delays be anticipated to the proposed timetable for the new Local Plan which prevents a minimum period of 15 years post adoption, the Council would need to take this into account and have due regard. However, like many stakeholders, we consider it vital that the new Local Plan is adopted as soon as possible and avoids any further delays.
- 3.1.4 The Local Plan vision goes on to inform that new development will complement the established townscape and offer a range of housing options, including affordable housing. To ensure that new development serves to complement the established townscape, proposals should be focused in the most sustainable locations, adjacent to existing development, such as the BA1. This is **supported** by IM Land.
- 3.1.5 The vision also recognises the need for residents in new communities to benefit from improved access to local services and community provision, including healthcare, education and recreational facilities. To enable these provisions to come forward, it is considered that the delivery of large developments, such as BA1, will ensure that these provisions are delivered in the right location and new communities are suitably supported. The development proposals will provide land for the expansion of Orchard C of E Primary School, land for the potential expansion of Frolesworth Road Recreational Ground, the provision of a community facility and sustainable connections to the ‘Large Village’ of Broughton Astley which has a range of local services and facilities. As such, this is **supported** by IM Land.
- 3.1.6 The vision then concludes that residents will shape new development across the District through effective community engagement and proactive neighbourhood planning. This approach is supported by IM Land, as demonstrated by their commitment to engage with Broughton Astley Parish Council on the proposals. It is worth noting that IM Land have met with Broughton Astley Parish Council on several occasions to discuss the development proposals and seek feedback on local community needs. This has been demonstrated by IM Land’s commitment to deliver a



parking area to serve Frolesworth Road Cemetery, a community facility and land for the potential expansion of Frolesworth Road Recreational Ground, all of which are not allocation requirements, as set out in the Site’s draft allocation (Site Ref. BA1).

3.1.7 On whole, IM Land **support** the vision for the Draft Local Plan and its timely adoption.

**3.2 Introduction**

3.2.1 As set out at paragraph 1.3 of the Draft Local Plan Consultation Document, the new Government requires every Local Planning Authority to have an up to date Local Plan. From previous discussions with Officers, it was confirmed that Harborough District Council are seeking to progress the Draft Local Plan under the transitional arrangements set out at Annex 1 of the NPPF. It is therefore acknowledged that the new Local Plan will need to meet 80% of the Standard Method requirements and will be examined under the previous version of the NPPF (December 2023). This is further recognised at paragraph 1.8 of the Draft Local Plan Consultation Document. Notwithstanding this, a future planning application that is submitted for BA1 will be considered and determined under the updated NPPF (December 2024).

3.2.2 For the purpose of this submission therefore, any further references to the NPPF will be to the 2023 version unless stated otherwise.

**3.3 Development Objectives**

3.3.1 The Plan objectives, in overall terms, provide a guiding framework for the Plan’s policies and proposals. A total of five objectives are proposed by the Council within the Draft Local Plan. These objectives have been detailed below and our responses to each objective can be found in orange.

- **Delivering Homes** – Deliver the housing needed, provide housing that addresses the specific needs of different communities and age groups, including the provision of affordable, accessible and specialist housing;
- IM Land **support** the Council’s objective of delivering the housing needed for the District during the Plan period. It is considered that this aligns with paragraph 61 of the NPPF and supports the Government’s objective of significantly boosting the supply of homes, especially where they help to meet an area’s identified housing need, including with an appropriate mix of housing types. BA1 is proposed as a draft allocation for 475 dwellings and is able to help the Council meet their development needs in a sustainable location in Broughton Astley. The proposals will see the delivery of 40% affordable housing onsite to meet the needs of the local area and will deliver a range of housing types and tenures (details subject to future Reserved Matters). As previously stated, BA1 has the capacity to deliver up to 550 dwellings, should the Council seek to allocate further residential dwellings that look towards long-term future needs.
- **Creating Jobs and Diversifying the Economy** – Support vibrant town centres to adapt to changing needs and retain and provide employment land and create opportunities for business expansion, job creation and economic growth;
- Whilst there are no specific comments to be made regarding this objective, IM Land wish to emphasise BA1’s ability to sustainably contribute towards economic growth within Broughton Astley and support those seeking to live and work within the locality.
- **Tackling Climate Change and Enhancing the Natural Environment** – Reduce carbon emissions and implement climate adaptation strategies, improve the quality of the natural environment by reducing pollution, protecting, enhancing, and extending biodiversity, and creating Green Infrastructure;
- IM Land **support** the Council’s commitment to supporting the environment and seeking to tackle climate change. To ensure that development sites are considered on an individual



basis, it is considered that the relevant policies within the Draft Local Plan should have regard to this and be worded flexibly where appropriate.

- **Retaining and Celebrating our Heritage and Rural Character** – Thoughtfully accommodate development to preserve and enhance our rural landscape, built heritage and the vitality of rural communities;
- IM Land have no further comments to add to this objective at this moment in time. However, IM Land reserve the right to comment on this further as the Draft Local Plan progresses.
- **Enabling Supporting Infrastructure** – Work with partners to deliver infrastructure (including schools, health and transport), supporting healthier communities through active and sustainable travel, expanding access to open spaces and expanding and enhancing community facilities;
- IM Land **support** the Council's objective of delivering infrastructure and supporting healthier communities through active and sustainable travel, whilst expanding access to open spaces and enhancing community facilities. It is considered that by allocating developments such as BA1, the Council will be able to ensure that this objective is achieved during the Local Plan period. BA1 proposes a multitude of benefits for both new and existing residents including land for primary school expansion, a potential community facility, potential recreation ground expansion, public open space, onsite footways and cycleways, and a parking area for Frolesworth Road Cemetery. IM Land have been in correspondence with Leicestershire County Council as the education authority who have confirmed that there is a need for primary school expansion within Broughton Astley and have acknowledged the BA1's ability to provide this. It is therefore considered that the development proposals significantly contribute towards this development objective.

3.3.2 On the whole, IM Land **support** the Local Plan objectives in principle and their ability to meet the longer-term vision for Leicester and Leicestershire. It is considered that the development proposals at Land off Frolesworth Road contribute significantly towards meeting the development objectives and regard should be had to this by the Council.

### 3.4 Policy DS01 – Development Strategy: Delivering Homes

3.4.1 In terms of housing, paragraph 61 of the NPPF informs that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

3.4.2 Policy DS01 of the Draft Local Plan sets out that the housing requirement for Harborough District consists of 13,182 dwellings between 2020 and 2041. The annual housing requirement for Harborough is then broken down to 657 dwellings per year between 2020 to 2036 and 534 dwellings per year between 2036 to 2041. As previously referenced, we are aware that Harborough District Council are progressing the Draft Local Plan under the transitional arrangements set out at Annex 1 of the NPPF. It is therefore acknowledged that the Harborough Local Plan will need to meet 80% of their updated Standard Method requirements or accord with the previous figures of the Standard Method should this equate to 80% of the updated Standard Method requirements.

3.4.3 In context to the above, it should be stressed that local housing **need** is not the same as the housing **requirement** to be set out in the Local Plan. The Council should therefore consider whether it is appropriate to set a higher housing requirement in line with paragraph 67 of the NPPF. This includes the consideration of unmet housing needs from neighbouring authorities and delivering additional development to meet prevailing affordable housing need.

3.4.4 The Standard Method for Harborough District has now been updated to make provision for 723 dwellings per annum. Previously under the former Standard Method, Harborough District



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Council were required to deliver 510 dwellings per annum. Regard is also had to the unmet housing needs arising from Leicester City and the requirement for Harborough District Council to provide an additional 123 dwellings per annum between 2020 to 2036 to meet this need.

3.4.5 We note that as part of the previous Regulation 18 consultation for Harborough, three growth options were presented for the scale of housing requirement during the Plan period. These included:

- 1) Option A (534 homes per year) – Low Scale of Growth
- 2) Option B (657 homes per year) – Medium Scale of Growth
- 3) Option C (780 homes per year) – High Scale of Growth

3.4.6 In our representations to the Regulation 18 consultation, the point was made on behalf of IM Land that if the Council pursued Option B, then enough land would be provided to accommodate an additional 123 dwellings annually across the period 2020 to 2036 towards the wider housing shortfalls of Leicester City Council. However, as per Planning Practice Guidance (PPG), paragraph ID: 68-001-20241212 states “*The Standard Method for calculating local housing need provides a minimum number of homes to be planned for. Authorities should use the Standard Method as the starting point when preparing the housing requirement in their Plan, unless exceptional circumstances justify an alternative approach*”. With this in mind, Option B (657 dwellings) should therefore be considered as a minimum figure and a starting point for calculating the requirement.

3.4.7 To enable the housing needs for the whole Plan period to be met, it is essential that sufficient headroom is provided within the housing supply. This will ensure that any currently unknown unmet needs of Leicester are met and any issues relating to affordability are addressed. As set out within the Harborough Local Housing and Employment Land Evidence (February 2025), 421 affordable homes are required per annum to address affordable needs. To ensure 421 affordable homes are delivered per annum, reliance on the Standard Method alone would not meet this identified need. As such, if the affordable housing need alone is to be met, this will require 1,053 dwellings per year (based on 40% affordable housing requirement, as set out at Draft Policy HN01 (Housing Need: Affordable Homes)). It is important that sufficient dwellings are provided to address affordability issues within the District.

3.4.8 The table below takes account of the minimum housing need figures under the previous Standard Method requirement (as per Annex 1 of the NPPF for transitional arrangements), in comparison to the actual need figures which consist of the previous Standard Method, affordable housing needs and unmet needs within Leicester and Leicestershire. When comparing the below figures against the proposed Draft Local Plan figures of 657 dwellings per year between 2020 to 2036 and 534 dwellings per year between 2036 to 2041, it is apparent that the proposed figures in the Draft Local Plan are a fraction of the actual need figures which are required within Harborough during the Plan period. Therefore, the Council’s approach to calculating its overall requirement is incorrect, principally due to the conflation between housing need and housing requirement.

Plan Period 2020 - 2041	Stantec’s Option A – Harborough’s Local Housing Needs	Stantec’s Option B – Harborough’s Local Housing Needs, including Affordable Housing Needs and Unmet Needs from Leicester and Leicestershire
Dwellings per annum	510	1,053 + 123 = 1,176



- 3.4.9 Further to the above, we have reviewed the supporting evidence base in relation to housing and the new Local Plan, including the Harborough Local Housing and Employment Land Evidence (February 2025) and the Local Plan Development Strategy (February 2025). It is apparent when reviewing the Local Plan Development Strategy in particular that the document has not been suitably updated and still continues to make reference to the NPPF (December 2023) and the previous Standard Method figure of 534 dwellings. Whilst the Harborough Local Housing and Employment Land Evidence is based on more up to date information, in accordance with paragraph 36 of the NPPF (December 2024) and for the reasons set out above, it is considered that Draft Policy DS01 is not positively prepared, justified or consistent with national policy.
- 3.4.10 It is therefore considered that there is a need for Harborough District Council to plan for a higher level of housing growth than the minimum Local Housing Needs as calculated using the Standard Method. This will allow ongoing flexibility to ensure local and unmet housing needs can be met in full during the Plan period. As such, it is considered that the Council should review the housing figures proposed within the Local Plan and the supporting evidence base.
- 3.4.11 In addition to the above, it is acknowledged that the housing target set out in policy DS01 has been used to inform the site selection process to assess all sites put forward around Broughton Astley. This has then been used to help determine that BA1 is the most appropriate for allocation in Broughton Astley and has had regard to the character of the settlement, the scale of BA1, technical considerations and proximity to services. These details are set out within the Site Selection Methodology (February 2025). It is therefore worth noting that the Council consider that BA1 forms the most suitable and sustainable location for development within Broughton Astley, as evidenced by the Site Selection Methodology. Given BA1 is considered to have limited technical constraints, is located on the settlement edge and is within close proximity to services, it is considered that the capacity of BA1 should be increased from 475 dwellings to 550 dwellings. This will ensure that the needs of Broughton Astley and the wider area are met in both the short and long term and are accommodated on a single sustainable site.
- 3.4.12 IM Land therefore do **not support** policy DS01 and consider that the policy as drafted is not currently **positively prepared** or **effective** but **support** the allocation of BA1 for development.
- 3.4.13 We consider that the following amendments would make the policy sound, as per the requirements set out at paragraph 36 of the NPPF:
- Plan for 1,176 dwellings per annum to account for evidenced local housing needs, affordable housing needs, and the unmet needs of Leicester and Leicestershire, rather than the proposed 657 dwellings per year between 2020 to 2036 and 534 dwellings per year between 2036 to 2041
  - Increase the capacity of Site BA1 from 475 dwellings to 550 dwellings, given the Site is evidenced to be the most suitable and sustainable location for development in Broughton Astley. This would also contribute an additional 75 dwellings towards the evidenced needs for 1,176 dwellings
- 3.4.14 Subject to the above minor modifications, IM Land would be supportive of this policy.

### 3.5 Policy SA01: Site Allocations

- 3.5.1 Policy SA01 lists the proposed site allocations which will support and enable the delivery of the development strategy policies listed within the Draft Local Plan. Policy SA01 advises that the Council will seek to enter into a Planning Performance Agreement with promoters of strategically important sites to ensure a programmed approach to determination and site delivery / implementation.
- 3.5.2 BA1 forms the only draft allocation for Broughton Astley and is proposed as below. The Applicant has provided additional comments next to each criterion of BA1 to demonstrate how the Site proposals will achieve these requirements:



Allocation BA1	Site Proposals as Proposed by IM Land
<p>A comprehensive masterplan is required for this site</p>	<p>IM Land have sought to prepare a comprehensive masterplan which takes into account the Site context, character and local area. A series of technical studies have been carried out to inform the layout of the Site and the quantum of development (i.e. up to 550 dwellings). IM Land have sought to provide a high quality development that promotes vast areas of public open space and green infrastructure for the use by both new and existing residents. On this basis, it is considered that IM Land have prepared and promoted a comprehensive masterplan for the Site</p>
<p>A high-voltage power line, with accompanying pylons cutting diagonally across the site from north to south, requires an appropriate buffer and development offset</p>	<p>Regard has been had to the power line and pylons onsite as part of the design and layout of the Site proposals. An appropriate easement has been provided either side of the power lines amongst large areas of open space and green infrastructure. IM Land have therefore proposed an appropriate buffer and development offset from the power lines and pylons onsite</p>
<p>Mitigate impacts on local roads, particularly the B581, B4114, and A426, through necessary improvements to ensure highway capacity and safety. Improvements may be required at the Main Street / Station Road / Cosby Road junction, potentially involving traffic signals. The impacts will be informed by a Transport Assessment that sets out off-site and on-site transport measures to mitigate impacts from the development. Footway improvements and connections should be included, along with discussions around extending bus service provision to serve the development</p>	<p>As previously discussed with the Council and demonstrated in <b>Appendices C and D</b>, the development proposals will not have a severe impact on the local highways network. Access into the Site is proposed via either a Ghost Island Priority Junction or a normal roundabout, which will impose traffic calming measures along Frolesworth Road into Broughton Astley. IM Land have also raised and acknowledged the potential need to provide a signalised arrangement at the Frolesworth Road / Station Road / Cosby Road crossroad junction. However, the requirements for this will be informed by a Transport Assessment and modelling works.</p> <p>In terms of footway improvements and connections, the proposals will seek to improve the existing footway along Frolesworth Road along with the provision of additional street lighting. IM Land also welcome engagement with LCC Highways regarding the extension of bus service provision to serve the development</p>
<p>Two Public Rights of Way (W60 and W48) cross the site: one runs west to east, and another follows the north-western boundary. These must be incorporated into the development proposals</p>	<p>The proposals have sought to include PRow's W60 and W48 as part of the green corridors and street networks onsite. The opportunities will be taken to connect and improve these existing PRow's to further enhance pedestrian and cycle connectivity</p>



	from the Site to existing facilities and services in the area
A Potential Local Wildlife Site is identified towards the north-western edge of the site, associated with a pond. Any development must respect and protect this area with appropriate mitigation measures	The supporting ecological work prepared for the Site considers that there are no in-principle ecological constraints to the Site proposals that cannot be mitigated. The Site layout proposes to retain and enhance the potential LWS towards the north western edge of the Site by providing a green corridor along the entirety of the north and western Site boundaries. The green corridor will provide suitable habitat features and mitigation measures
Development of the site must contribute to the reasonable costs of the provision of primary and secondary education expansion, as necessary	IM Land have sought to engage LCC Education as part of developing the layout for the Site. Based on these discussions, the proposals seek to provide land for the potential expansion of Orchard C of E Primary School. In terms of planning obligations towards primary and secondary needs, these will be discussed as part of the application progress for the Site
A site-specific Flood Risk Assessment will be required to assess the risk of surface water flooding and access/egress arrangements along Frolesworth Road. A carefully considered and integrated flood resilient and sustainable drainage design will also be required, including a site-specific Surface Water Drainage Strategy, and SuDS maintenance and management plan. The sequential approach to site layout should be taken	In terms of flood risk, the Site is located within Flood Zone 1 and is at very low risk in terms of surface water (noting small parts of the Site at the eastern end of the Site adjacent to Frolesworth Road are subject to low to high risk). This is further recognised in <b>Appendix B</b> . Therefore, to ensure the parts of the Site which are subject to low to high risk are suitably mitigated, overland flow routes will be maintained and appropriate finished floor levels will be applied. Surface water will also be contained within the Site and conveyed and collected via a series of swales and an attenuation basin in the eastern corner. As part of the application for the Site, a Flood Risk Assessment and Drainage Strategy will be prepared and submitted by IM Land
The site is in the catchment zone of the Narborough Bog SSSI, and any development must provide sufficient evidence that the drainage will not cause significant impact to the designated site	The ecological technical studies and drainage works prepared for the application for the Site will have regard to the Narborough Bog SSSI to ensure that no impacts are caused to this designation
There are heritage assets in the vicinity, including Grade II* Church of St Mary, and a Heritage Impact Assessment will be required as part of any planning application	The heritage works carried out for the Site demonstrate that the development of the Site will not have an impact on the setting of the heritage assets in the vicinity. A Heritage Impact Assessment will be prepared and submitted as part of a planning application for the Site
A contaminated land assessment will be required to address potential risks and	A Contaminated Land Assessment will be prepared and submitted as part of a planning application for the Site. However, given the

mitigation arising from agricultural development on parts of the site	Site's associated use with agriculture, it is considered that any risk from contamination is low
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- 3.5.3 As previously stated, IM Land **support** the BA1's draft allocation in the Draft Local Plan and wish to reiterate their commitment to working with the Council to bring forward BA1 for development.
- 3.5.4 In terms of the proposed housing figure of 475 dwellings for BA1, as currently drafted, Harborough District Council make no provision for any flexibility within the draft allocation regarding the scope of dwellings proposed. To ensure that suitable flexibility is provided within the draft allocation for Site BA1, the Council should include wording along the lines of 'around' or 'approximately' to provide some flexibility within the policy wording.
- 3.5.5 In addition to the above and as previously raised within these representations, BA1 has the potential to deliver up to 550 dwellings. It is considered that BA1 has the capacity to deliver up to 550 dwellings via a comprehensive masterplan and one that is of good design. The provision of 550 dwellings has been explored by IM Land through the provision of technical works and supporting evidence. From the technical studies carried out, it is considered that the increased capacity of 75 dwellings would not have a severe impact on the local highway network and would not have a significant impact on local infrastructure. This is particularly applicable given the infrastructure provisions onsite and the contributions BA1 proposes as part of the wider development. Further to this and as raised in the above section, it is considered that Harborough District will need to make further provision for housing within the Draft Local Plan to meet evidenced needs. As such, the provision of a further 75 dwellings onsite would provide a sustainable contribution towards this in the large village of Broughton Astley.
- 3.5.6 In terms of the supporting evidence prepared in relation to the development proposals, the pre-application discussions that have taken place with the LLFA (**Appendix B**), LCC Highways (**Appendix C**) and National Highways (**Appendix D**) have been appended to these representations. These pre-application discussions detail that there are no technical concerns from a highways or flood risk point of view and the proposals can be suitably and accordingly mitigated. The highways discussions and trip generation for BA1 have been based on a Site capacity of 600 dwellings and demonstrate that a development in this region can be suitably accommodated. A planning pre-application request has also been submitted to Harborough District Council. At the time of writing these representations, formal advice is yet to be issued by Harborough District Council.
- 3.5.7 It is understood that the Strategic Housing and Economic Land Availability Assessment Update (2024) has provided the basis for the proposed allocation of 475 dwellings at BA1 and has had regard to constraints. In terms of technical constraints from a highways and flood risk point of view, the pre-application responses from National Highways, LCC Highways and the LLFA have indicated that there are no significant constraints associated with BA1 that cannot be overcome by suitable design and mitigation measures. To note, the highways pre-application discussions have also been based on a figure of 600 dwellings to ensure sufficient flexibility in the Site considerations. Whilst there are overhead pylons onsite, these have been considered in the design of the Site proposals and suitable easements and open space is proposed within proximity to these features. On this basis, it is considered that no significant constraints have been identified which prevent BA1 providing a capacity of 550 dwellings and it is therefore requested that the draft Site Allocation be updated on this basis. The supporting technical works will be prepared as part of a future planning application for BA1 and will provide sufficient justification for the accommodation of 550 dwellings onsite.
- 3.5.8 IM Land consider that the policy as drafted is not justified as it does not reflect evidenced based needs. Whilst IM Land **broadly support in principle** the draft allocation of BA1 in the Draft Local Plan, they do not consider it is **justified** or based on **sound** evidence. IM Land therefore wish to see the allocation increased to 550 dwellings and wish to comment further on draft allocation BA1 through the Draft Local Plan process.



### 3.6 Policy HN01 – Housing Need: Affordable Housing

- 3.6.1 Paragraph 66 of the NPPF informs that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures
- 3.6.2 Policy HN01 sets out that to meet the need for affordable housing (40%) of the total number of homes in residential developments of 10 or more dwellings, provision should be made for this onsite with a tenure split of 75% affordable / social rented and 25% affordable home ownership. The mix of size and type of affordable housing development will be informed by the latest housing needs assessment. New affordable housing should be well designed and integrated with market housing which contributes to the creation of mixed communities.
- 3.6.3 Based on the Harborough Local Housing and Employment Land Evidence (February 2025), the Local Plan document specifies that Harborough’s affordable housing need consists of:
- 310 affordable homes for rent per annum; and
  - 111 affordable homes ownership per annum.
- 3.6.4 The supported Viability Report (January 2025) to the Draft Local Plan informs that new affordable housing should be delivered onsite unless exceptional circumstances can be demonstrated and robustly justified. The Viability Report demonstrates that the majority of draft allocations in the Draft Local Plan are able to support 40% affordable housing provision. The Viability Report also informs that the tenure split for affordable housing will consist of 75% affordable / social rent and 25% affordable home ownership. Where it is robustly demonstrated that the required provision of affordable housing would make a scheme unviable, the requirement for a lower level of provision will be considered. The Viability Report considers that for schemes of 500 dwellings or more, where a non-policy compliant scale of affordable housing is accepted as a result of viability issues, viability will be reassessed at agreed times over the lifetime of a development based on actual costs and values generated by the development.
- 3.6.5 It is understood that the above figures for affordable home ownership presents the highest possible requirements. When adding the above affordable needs together, it is apparent that a total requirement of **421 homes per annum** is needed to meet local affordable need. This figure equates to over half of the updated Standard Method figure of 723 dwellings and close to the previous Standard Method figure of 510 dwellings in which the Draft Local Plan is being assessed under. The figure of 421 affordable dwellings doesn’t even consider market need. As such, this demonstrates that there is a clear need to account for a higher number of homes to address local affordable need in District and a higher number of new homes generally.
- 3.6.6 Whilst the Council consider that the scale of affordable housing need is significant, they consider that their position is justified in seeking to maximise delivery on sites where possible. The Council go on to acknowledge that the affordable need within the District represents 2/3 of the proposed housing requirement. However, the Council consider that this level of affordable housing provision is unlikely to be deliverable and regard needs to be had to viability considerations and the acknowledgement that public funding is a constraint to affordable housing delivery.
- 3.6.7 It is evident that that the delivery of housing based purely on local need assessed via the Standard Method (i.e. 510 dwellings per annum) will not deliver sufficient market housing to fully meet the identified affordable need, if planning obligations remain the primary source of delivery. As set out at Section 3.4, if the affordable housing need alone is to be met, this will require 1,176 dwellings per year based on 40% affordable housing requirement.
- 3.6.8 Taking account of the above, the provision of 40% affordable housing onsite is **supported**. In terms of the tenure split, the provision of 75% affordable / social rented and 25% affordable is **broadly supported**, although this needs to be expressed with flexibility to allow for change over time.



### 3.7 Policy HN02 – Housing Need: Mix of New Homes

- 3.7.1 Paragraph 61 of the NPPF emphasises that the overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.
- 3.7.2 Policy HN02 informs that proposals for residential development will deliver an appropriate mix of housing types, tenures and sizes, and should take into account the latest evidence on housing needs. All homes will be expected to meet accessible and adaptable M4(2) Building Regulations technical standards. All major residential developments will be expected to contribute to wheelchair accessibility as follows:
- A. A minimum of 5% of market homes must meet Building Regulations technical standard M4(3)A (wheelchair adaptable); and
  - B. A minimum of 10% affordable homes must meet standard M4(3)B (wheelchair accessible).
- 3.7.3 Whilst IM Land acknowledge the need to provide a range of housing mixes and tenures, it is considered that the policy as drafted provides no scope or flexibility and fails to have regard to viability / deliverability factors. The requirement for all homes to meet M4(2) standards and provide 5% of market homes and 10% of affordable homes as M4(3)A and M4(3)B standards will be challenging from a deliverability and viability perspective, especially when considering the expenses associated with delivering M4(3)B and M4(3)A dwellings. Whilst IM Land welcome the inclusion of a Viability Assessment as part of the supporting evidence base for the draft Local Plan, concerns are raised regarding the need for policies to go further beyond matters in relation to Building Regulations and the impact this may have on the Local Plan's ability to deliver both market and affordable housing where it is most needed.
- 3.7.4 Taking the above into account, IM Land consider that policy HN02 fails to accord with the tests set out at paragraph 36 of the NPPF and is therefore not justified. It is considered that policy HN02 should be amended as follows to ensure that it is sound:
- 1. "Proposals for residential development will deliver an appropriate mix of housing types, tenures and sizes and should take into account the latest evidence on housing needs in the district published by the Council unless evidence is provided that demonstrates to the satisfaction of the Council that an alternative mix of homes is appropriate.
  - 2. ~~All Homes will be expected~~ **should aim** to meet accessible and adaptable M4(2) Building Regulations technical standards **where feasible and viable**. In seeking this type of home, regard will be had to any evidence provided concerning site-specific factors that may make it impossible to meet the accessible and adaptable standard.
  - 3. ~~All Major residential developments~~ **should aim** ~~will be expected~~ to contribute to wheelchair accessibility as follows:
    - a. ~~A minimum of~~ **Up to** 5% of market homes ~~must~~ **should aim to** meet Building Regulations technical standard M4(3)A (wheelchair adaptable) **where viable and feasible**; and
    - b. ~~A minimum of~~ **Up to** ~~10%~~ 5% of affordable homes ~~must~~ **should aim to** meet standard M4(3)B (wheelchair accessible) **where viable and feasible**.
- 3.7.5 Subject to the above minor modifications, IM Land would be supportive of this policy.

### 3.8 Policy HN03 – Housing Need: Housing Type and Density

- 3.8.1 Paragraph 130 of the NPPF sets out that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. In these circumstances, the use of minimum density standards



should also be considered. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range.

- 3.8.2 Policy HN03 advises that the Council will expect the following **minimum** residential densities unless a lower density is justified based on the character of the area and availability of public transport and other services and facilities:
- a) 40 dwellings per hectare within Lutterworth and Market Harborough town centres
  - b) 30 dwellings per hectare elsewhere
- 3.8.3 The draft allocation of 475 dwellings onsite provides a density of 30dph / 35dph. Whilst the allocation of 475 dwellings may exceed the requirement of 30dph, it is acknowledged that the Council obviously consider that BA1 can suitably accommodate an increased density than that set out in the policy.
- 3.8.4 Further to the above, should the proposals seek to provide 550 dwellings onsite, a density of approximately 38dph would be accommodated onsite. Whilst this exceeds that set out in policy HN03, in accordance with the NPPF and optimising the developments of sites, it is considered that the density of 30dph should be considered as a minimum figure. Having 30dph as a minimum figure builds flexibility into the policy and will allow the Council to set out a range of densities that reflect the accessibility and potential of different areas, in accordance with the NPPF.
- 3.8.5 In light of the above, IM Land wish to emphasise that the densities included within the policy should be viewed as a minimum. IM Land therefore do **not support** policy HN03 as currently drafted on the basis that it fails to accord with the tests set out at paragraph 36d of the NPPF and the need to use land efficiently. IM Land consider that the proposed minimum density for policy HN03 should be increased to 35dph. Subject to the above minor modifications, IM Land would be supportive of this policy.

### 3.9 Policy HN04 – Housing Need: Supported and Specialist Housing

- 3.9.1 Paragraph 63 requires the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policies.
- 3.9.2 Policy HN04 sets out that specialist housing for older people will be required as an integral part of all residential developments of 100 dwellings or more at a rate of at least 10% of all dwellings proposed, providing the site offers a suitable location for the provision of this type of accommodation.
- 3.9.3 Whilst the evidence set out in the Harborough Local Housing and Employment Land Evidence (February 2025) indicates that in the future household sizes are projected to drop whilst the population of older people will increase, based on the evidence presented, it is unclear as to where the need for 'at least 10%' of all dwellings on sites of 100 dwellings or more as specialist housing has been presented. The Harborough Local Housing and Employment Land Evidence also confirms that there is no standard methodology for assessing the housing and care needs of older people. The policy also fails to clarify as to what types of development 'specialist housing' relates to. Therefore, the provision of 10% has not been positively prepared and is unjustified.
- 3.9.4 In regard to the above and to ensure that more flexibility is built into the policy, it is considered that a reduced percentage rate should be included within the policy to ensure that all developments of 100 dwellings or more can suitably accommodate a portion of specialist housing onsite. It is considered that a 5% contribution towards specialist housing is a more reasonable quantum that will be better accommodated by development sites. Whilst we acknowledge that the evidence prepared fails to justify the need for 10% specialist housing onsite and also doesn't make reference to the need for 5% specialist housing, IM Land consider that a quantum of 5% is more reasonable and will be better accommodated within development



sites. A quantum of 5% is also considered suitable given the evidence confirms that there is no standard methodology for assessing the housing care needs of older people.

- 3.9.5 Taking the above into account, IM Land consider that policy HN04 fails to accord with the tests set out at paragraph 36 of the NPPF and is therefore not justified. It is considered that part 2 of the policy should be amended as follows to make policy HN04 sound:

“Specialist housing for older people will be required as an integral part of all residential development of 100 dwellings or more at ~~a rate of at least 10%~~ at an approximate rate of 5% or more of all dwellings proposed, providing the site offers a suitable location for the provision of this type of accommodation”

- 3.9.6 IM Land therefore do **not support** the policy as currently drafted. Subject to the above minor modifications, IM Land would be supportive of this policy.

### 3.10 Policy HN05 – Housing Need: Self and Custom Build Housing

- 3.10.1 Under Section 1 of the Self Build and Custom Housebuilding Act 2015, Local Planning Authorities are required to keep a register of those seeking self-build and custom house building plots. Section 2 of the Act requires Local Planning Authorities to provide sufficient suitable permissions to meet the identified need on the register.

- 3.10.2 The NPPF informs at paragraph 73(b) that Local Planning Authorities should seek opportunities for small – medium scale sites to be delivered for self and custom housebuilding.

- 3.10.3 Policy HN05 sets out that in order to contribute to meeting demand for self and custom build plots, all non-specialised development of 40 dwellings (gross) or more must provide at least 10% of the total number of dwellings as self or custom build plots. Policy HN05 goes on to inform that a lower level of provision will only be permitted where there is clear evidence of lower demand. If plots on developments of 40 dwellings or more remain unsold for 18 months, then these plots may be built out as market housing.

- 3.10.4 The Harborough District Council Self and Custom Build Register suggests that there is a demand for 298 plots (as at 30 October 2024). Further to this, the Council have typically seen an average of 36 registrations a year for self and custom build plots. The Harborough Local Housing and Employment Land Evidence (February 2025) considers that there is a need for self and custom build units across the District. The Housing and Employment Land Evidence goes on to inform that despite a relatively permissive policy for self and custom build plots in the adopted Local Plan, the volumes of permissions have not matched registrations. As such, the Council have sought to tighten the policy framework under the Draft Local Plan, hence the 10% requirement for sites of 40 dwellings or more.

- 3.10.5 Whilst Policy HN05 includes a cascade mechanism should there be no interest in self and custom build plots on sites, the requirement for ‘at least 10%’ self and custom build plots as currently drafted is **not supported**. The requirement for 10% is considered excessive, even when considering the volume of permissions and registrations. Given the rate of demand detailed above, as well as other sites within the District and the draft allocations listed in the Draft Local Plan, the availability of plots would significantly exceed demand. As such, this would result in plots sitting vacant for extended periods of time which can lead to a range of issues such as security and fly tipping. This risk is obviously a shared concern of the Council’s, hence why a cascade mechanism is suggested within the draft policy.

- 3.10.6 With regards to the cascade mechanism, whilst it is positive to see that the Council have included this to support the provision of any unbuilt plots being built out as market housing, in reality this mechanism is **not supported** due to the build out implications and phased approach of the development. This could have significant implications for new residents onsite who would then have to endure construction works and traffic, whilst the proposed self and custom build plots are built out for market dwellings. As such, this approach is not practicable or suitable. Further to this, it is also considered that the requirement for properties to remain unsold for a period of 18 months is excessive and a period of 12 months is more suitable.



- 3.10.7 We note that part 6 of the policy also requires detailed applications for self and custom build homes to have a plot passport and design code. It is considered that the need for a specific design code for these plots is excessive and will potentially delay self and custom houses coming forward for development. The policy also fails to specify who would be responsible for preparing the design code and what the process for this would entail. Therefore, this requirement should be removed.
- 3.10.8 In light of the above, IM Land consider that policy HN05 fails to accord with the tests set out at paragraph 36 of the NPPF and is therefore not justified. The following recommendations are made to amend the wording of draft policy HN05 in order for it to be considered sound:

“To contribute to meeting demand for self and custom build plots, all non-specialist development of 40 dwellings (gross) or more must provide ~~at least 10%~~ **approximately 5%** of the total number of dwellings as self or custom build plots.

A lower level of provision will only be permitted where there is clear evidence of lower demand. If plots on developments of 40 dwellings or more remain unsold, these plots may be built out as conventional market housing subject to detailed permission being secured which must be supported by evidence that a thorough marketing exercise has been undertaken over a period of at least ~~18 months~~ **12 months** commencing from the date at which the serviced self or custom build plot was available.

~~Detailed applications for self and custom build homes on plots with a plot passport and design code will be supported where they adhere to the approved parameters of the plot passport and clearly demonstrate how specifications have been satisfied. Variations to plot passport specification must demonstrate that they are suitable for the plot if they are to be supported.”~~

- 3.10.9 IM Land therefore do **not support** the policy as currently drafted. Subject to the above minor modifications, IM Land would be supportive of this policy.

### 3.11 Policy AP01: Development in Settlements

- 3.11.1 Paragraph 124 of the NPPF advises that planning policies and decisions should promote an effective use of land meeting the need for homes. Paragraph 126 adds that Local Planning Authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development need.
- 3.11.2 Policy AP01 identifies Broughton Astley as a large village in the settlement hierarchy for Harborough District. This is after the market towns of Lutterworth and Market Harborough. IM Land are pleased to see the Council’s recognition of Broughton Astley as a sustainable location for growth within the District.
- 3.11.3 IM Land have no further comments to raise in respect of policy AP01 and **support** the identification of Broughton Astley as a sustainable settlement capable of growth.

### 3.12 Policy DM05: Green and Blue Infrastructure and Open Space

- 3.12.1 Paragraph 135 of the NPPF informs that planning policies and decisions should ensure that developments optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space).
- 3.12.2 Policy DM05 informs that all development must:
- contribute to creating high-quality multifunctional green and blue infrastructure in accordance with the Open Spaces Strategy 2021 (or subsequent revisions) and Green and



Blue Infrastructure Study (2024), including using trees and other planting where appropriate, to provide access to shade and manage surface water run-off as part of a wider resilience to climate change and, where needed, use noise and pollution barriers/absorption measures;

- b) create and enhance accessible links for all between new developments and surrounding recreational networks and facilities; and
- c) enhance access to publicly accessible open space.

3.12.3 Policy DM05 then goes on to advise that all residential developments of 10 or more dwellings must meet the requirements set out at 1a, 1b and 1c and meet the following local standards:



Open Space Type	Existing Standard (ha per 1,000 population)	Accessibility Standard
Allotments and Community Gardens	0.35	4km or 10 minutes by bus / driving
Amenity Greenspace	0.9	800 metres or 10 minutes' walk
Natural and Semi-Natural Greenspace	8.5	1.6km or 20 minutes' walk
Parks and Gardens	0.4	4km or 10 minutes by bus / driving
Provision for Children and Young People	0.3	400 – 800 metres or 5 – 10 minutes' walk
Outdoor Sports	In accordance with Playing Pitch Strategy	In accordance with Playing Pitch Strategy
Cemetery and Burial Grounds	In accordance with Open Spaces Strategy	In accordance with Open Spaces Strategy

- 3.12.4 The policy then considers that if onsite provision is not feasible by virtue of location, management limitations, or the open space will not be of a sustainable size, a payment equivalent to the offsite provision will be required.
- 3.12.5 Whilst IM Land **broadly support** the principle and requirements of the policy, it is considered that in parts, the wording of the policy is too onerous and does not provide any flexibility. This is also applicable to the open space typologies and it is considered that more flexibility should be built into the accessibility standard. IM Land therefore consider that policy DM05 fails to accord with the tests set out at paragraph 36a of the NPPF and has not been positively prepared. Therefore, in order for the policy to be considered as sound, justified and positively prepared, the amendments below are considered necessary to the wording of the policy.
- 3.12.6 The wording of the policy and accessibility standards prevent sites been considered on a site by site basis. It is also acknowledged that the Open Space Strategy was prepared back in 2021 prior to the Local Plan Review and for the purposes of the Draft Local Plan is now considered to be out of date. As such, an updated version of the Open Spaces Strategy should have been prepared in support of the evidence base for the Draft Local Plan.
- 3.12.7 Further to this, whilst the open space standards are helpful and provide guidance on the quantum's that are considered necessary for development, it is again considered that these standards do not provide any flexibility and fail to have regard to individual schemes. For example, should a development not provide all of the above open space typologies listed in the table, but provide an excess of some typologies, it is considered that due regard should be had to this by the Council and the wider application merits should considered in the balance.
- 3.12.8 Having regard to the above, the following recommendations are made to amend the wording of draft policy:

“All development ~~must~~ **should aim to**:

- a. contribute to creating high-quality multifunctional green and blue infrastructure in accordance with the Open Spaces Strategy 2021 (or subsequent revisions) and Green and Blue Infrastructure Study (2024),



including using trees and other planting where appropriate, to provide access to shade and manage surface water run-off as part of a wider resilience to climate change and, where needed, use noise and pollution barriers/absorption measures;

- b. create and enhance accessible links for all between new developments and surrounding recreational networks and facilities; and
- c. enhance access to publicly accessible open space.

Residential development of 10 or more homes **will should aim to** meet the requirements set in 1 (a) to 1(c) and local standards **where possible below** or as set out in up-to-date evidence of open space requirements published by the Council. Developments will be expected to provide an appropriate landscaping and landscape maintenance scheme, ensuring high standards of maintenance. **Due consideration will be had to the individual merits of development proposals and the open space types provided onsite**

Residential development of 10 or more homes **will should aim to** meet the requirements set in 1 (a) to 1(c) and **the approximate** local standards below”

Open Space Type	Existing Standard (ha per 1,000 population)	Approximate Accessibility Standard
Allotments and Community Gardens	0.35	4km or 10 minutes by bus / driving
Amenity Greenspace	0.9	800 metres or 10 minutes' walk
Natural and Semi-Natural Greenspace	8.5	1.6km or 20 minutes' walk
Parks and Gardens	0.4	4km or 10 minutes by bus / driving
Provision for Children and Young People	0.3	400 – 800 metres or 5 – 10 minutes' walk
Outdoor Sports	In accordance with Playing Pitch Strategy	In accordance with Playing Pitch Strategy
Cemetery and Burial Grounds	In accordance with Open Spaces Strategy	In accordance with Open Spaces Strategy

3.12.9 IM Land therefore do **not support** the policy as currently drafted but with the minor modifications suggested above would be supportive.

### 3.13 Policy DM06: Transport and Accessibility

3.13.1 Paragraph 110 of the NPPF sets out that the planning system should actively manage patterns of growth and significant development should be focused on locations which are or can be made sustainable. Paragraph 116 goes on to advise that development should only be prevented or



refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

3.13.2 Policy DM06 informs that development will be permitted subject to:

1.
  - a) ensuring the safe, connected and convenient movement across the transport network, including bus passengers, cyclists, pedestrians and horse riders
  - b) providing safe access, servicing and parking arrangements as defined in this policy and having regard to Highway Authority guidance and standards
  - c) ensuring that additional traffic movements are not detrimental to highway safety or result in the residual cumulative impact on the road network being severe

3.13.3 Policy DM06 goes on to advise that all major development is required to submit a Transport Assessment which considers the impact of the development and identifies suitable mitigation. All major development must also:

2.
  - a) incorporate measures to facilitate and encourage safe access by cycle and on foot along with protection of, connection to and extension, where practicable, of existing pedestrian, cycle and equestrian routes
  - b) provide accessible cycle parking
  - c) deliver public transport enhancements where feasible to mitigate development impacts, including but not limited to bus routes, information and waiting facilities and measures to encourage public transport use
  - d) where appropriate, contribute to provision for the transport needs of specific groups in the community, such as the elderly and those with disabilities
  - e) ensure car parking provision sufficient for the location and type of development, and make provision for Car Club spaces and EV charging points
  - f) mitigation for any adverse impact on residential amenity and air quality, especially in Air Quality Management Areas

3.13.4 In terms of the requirements and the wording set out in policy DM06, IM land do **not support** the policy as currently proposed. Further clarity is requested and it is considered that amendments to the wording are required to ensure the policy is justified and sound.

3.13.5 It is acknowledged that a Strategic Transport Impact Assessment (January 2025) has been prepared in support of policy DM06 and the Draft Local Plan. The Strategic Transport Assessment has considered the site allocations at a strategic level, though site and cluster level identification of the impacts within Harborough. Potential allocations have then been considered through the development of TA proformas, including a review of access constraints. BA1 is identified as ID: 10554 and is recognised as a sustainable location. The proforma considers that further work is required in respect of vegetation clearance, visibility and works to the existing highways. The proforma also considers that BA1 may have potential constraints in relation to drainage and overhead utilities. However, the proforma does consider that BA1 is suitable in terms of below ground utilities, street lighting, bus stops and public footpaths. As previously raised, the pre-application responses from the LLFA, LCC Highways and National Highways have advised that BA1 does not have technical constraints which cannot be overcome. The above potential constraints / further works requirements will also be reviewed and addressed as part of a planning application submission for BA1.



- 3.13.6 Turning to part 1c of the policy, it is considered that the policy should be reworded to ensure consistency with paragraph 116 of the NPPF. This will ensure that the policy is in accordance with the requirements set out in national policy and adopts a consistent and justified approach.
- 3.13.7 With regards to part 2c of the policy and the need to deliver public transport enhancements, it is considered that the policy fails to have regard to Demand Responsive Transport (DRT) and the increased demand for this service. This is particularly relevant in the Leicestershire area where the 'Fox Connect Service' operates locally. Therefore, it is considered that part 2c should incorporate reference to the DRT to also ensure demand for this need is also taken into account.
- 3.13.8 Looking at part 2d of the policy, it is considered that the wording as proposed is vague and suggests that contributions will be sought from development proposals coming forward to fund other services, which in turn can lead to wider complications. It is therefore considered that part 2d can be incorporated into part 2c of the policy as community based services.
- 3.13.9 In terms of part 2e of the policy, it is considered that flexibility should be applied to the provision of car clubs. This is on the basis that car clubs are more suitable for larger developments and will not be suitable or applicable to all schemes. Turning to the provision of EV charging points, the requirement for EV charging is an obligation under Building Regulations (Approved Document S) and it is therefore considered unnecessary to include this within the policy. However, if the provision of EV charging points is required to serve as a communal facility, then this should be specified in the policy. If communal EV charging facilities are required, it is worth noting that these are difficult to manage and assign. Therefore, unless a clear strategy is provided which sets out how a communal EV charging point can be secured and maintained, IM Land do **not support** this.
- 3.13.10 Finally, looking at part 2f of the policy, it is considered that the requirement for impact on residual amenity is vague and fails to specify exactly what area this relates to. Therefore, IM Land consider that this part of the policy needs to be more specific and specify whether residential amenity relates to noise etc. Policy DM06 as drafted is considered to be unsound and is not justified, as per the tests set out at paragraph 36 of the NPPF. Therefore, the below amendments are required in order to make the policy sound.
  - 1.
    - a) ensuring the safe, connected and convenient movement across the transport network, including bus passengers, cyclists, pedestrians and horse riders
    - b) providing safe access, servicing and parking arrangements as defined in this policy and having regard to Highway Authority guidance and standards
    - c) ensuring that additional traffic movements ~~are not detrimental~~ do not cause an unacceptable impact to highway safety or result in the residual cumulative impact, following mitigation, on the road network being severe
  - 2.
    - a) incorporate measures to facilitate and encourage safe access by cycle and on foot along with protection of, connection to and extension, where practicable, of existing pedestrian, cycle and equestrian routes
    - b) provide accessible cycle parking
    - c) deliver public transport and Demand Responsive Transport (DRT) enhancements where feasible to mitigate development impacts, including but not limited to bus routes, information and waiting facilities, community based services, and measures to encourage public transport use
    - d) ~~where appropriate, contribute to provision for the transport needs of specific groups in the community, such as the elderly and those with disabilities~~



- e) ensure car parking provision sufficient for the location and type of development, and make provision for Car Club spaces **where suitable and EV-charging points**
- f) mitigation for any adverse impact on residential amenity and air quality, especially in Air Quality Management Areas

3.13.11 Subject to the above minor modifications, IM Land would be supportive of this policy.

### 3.14 Policy DM07: Managing Flood Risk

3.14.1 Paragraph 170 of the NPPF informs that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Paragraph 171 goes on to advise that strategic policies should be informed by a strategic flood risk assessment and should manage flood risk from all sources. Paragraph 173 then sets out that all Plans should apply a sequential, risk based approach to the location of development, taking into account all sources of flood risk and the current and future impacts of climate change.

3.14.2 Policy DM07 states “*wherever possible, development should take place within Flood Zone 1. The Sequential Test and, where necessary, the Exceptions Test should be used to assess the suitability of proposed development*”.

3.14.3 In relation to BA1 and its location within Flood Zone 1, policy DM07 requires a site specific Flood Risk Assessment to cover the following:

- a) Major development
- b) Land with critical drainage problems
- c) Land at increased flood risk in the future
- d) Where a more vulnerable use is proposed on land which may be subject to sources of flooding other than rivers
- e) Catchments that have experienced sewer flooding

3.14.4 IM Land note the need for a Sequential Test where necessary and have no further comments to raise at this moment in time.

### 3.15 Policy DM08: Sustainable Drainage

3.15.1 Paragraph 182 of the NPPF requires applications which could affect drainage on or around the site to incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff and which are proportionate to the nature and scale of the proposal.

3.15.2 Policy DM08 sets out that:

1. All development must promote an integrated approach to water management through planting and incorporating rainwater storage for reuse and irrigation.
2. All major developments must incorporate SuDS and take account of the drainage hierarchy as follows (in order of priority):
  - a) store rainwater for later use for irrigation or non-potable purposes
  - b) promote natural infiltration with soakaways or permeable surfaces to recharge groundwater
  - c) use green roofs, rain gardens, or vegetated systems to hold and slowly release water



- d) use engineered systems like underground tanks or ponds to temporarily store and control water flow
  - e) discharge to nearby rivers or streams where practicable, ensuring that any run-off does not negatively impact on the water quality of a nearby waterbody
  - f) discharge to surface water sewer
  - g) discharge to combined sewer only as a last resort in order to prevent overloading the sewer network
3. The design and layout of the SuDS should prioritise nature based solutions and taking account of the hydrology of the site, must:
- a) manage surface water close to its source and on the surface where feasible
  - b) be designed to incorporate surface water management features as green and blue infrastructure wherever possible, maximising multifunctional benefits for biodiversity, amenity, cooling and water quality
  - c) use features that enhance the site design and sense of place and where it is incorporated in open space, provide a safe naturalised system without the need for fencing or barriers
  - d) provide for the re-naturalisation of modified water courses where practical
  - e) be located away from land affected by contamination that may pose an additional risk to groundwater or other waterbodies
  - f) demonstrate that the peak rate of run-off over the lifetime of the development, allowing for climate change, is no greater for the developed site than it was for the undeveloped site and reduced wherever possible. Developments are required to achieve a 20% reduction in run-off rates compared to pre-development conditions to account for existing surface water runoff problems
  - g) ensure that flooding would not occur to property in and adjacent to the development, in the event of an occurrence of a 1 in 100-year rainfall event (including an allowance for climate change) or in the event of local drainage system failure

3.15.3 As currently drafted, IM Land do **not support** policy DM08.

3.15.4 Firstly, looking at part 1 of the policy, it is considered that the proposed approach is vague and fails to provide further details in relation rainwater storage. It is considered that rainwater storage could relate to either water butts or the provision of rainwater harvesting tanks. If the policy does seek to include the provision of rainwater harvesting tanks, regard will then need to be had to storage calculations and there being the possibility of an over provision of storage requirements. These comments also relate to part 2a of the policy.

3.15.5 Part 3f of the policy makes reference to peak run-off rates over the lifetime of a development and the need for developments to achieve a 20% reduction in run-off rates compared to pre-development conditions to account for existing surface water runoff problems. As currently drafted, it is unclear as to what return periods are being referenced to in respect of the 20% reduction in run-off rates. The wording of the policy needs to be more specific in this regard and advise how the 20% rate should be applied and what should be achieved. This is particularly crucial given the potential implications this can have on storage requirements. It is also unclear if the Council are suggesting whether brownfield sites would need to revert to greenfield sites and if a further 20% would then need to be applied, which would be seemingly onerous. Further to this, there are also practical implications associated with the 20% runoff rate, noting that discharge rates cannot be reduced to below 2 l/s due to blockage issues with the flow control devices.



3.15.6 Taking the above into account, IM Land do **not support** policy DM08 as currently proposed and request that the policy is reviewed, with elements on rainwater storage and 20% runoff rates being specified further. It is considered that policy DM08 has not been positively prepared, is not justified or based on sound evidence, as per paragraph 36 of the NPPF. We therefore reserve the right to comment on this once further information is made available and subject to the above minor modifications, IM Land would be supportive of this policy.

### 3.16 Policy DM09: Sustainable Construction and Climate Resilience

3.16.1 Paragraph 162 of the NPPF sets out that Plans should take a proactive approach to mitigating and adapting to climate change. Policies should support appropriate measures to ensure the future health and resilience of communities and infrastructure to climate change impacts.

3.16.2 Policy DM09 informs that all development must:

- a) minimise carbon emissions during construction, which may include use of low-carbon construction materials, and adopting energy efficient construction practices;
- b) where relevant, demonstrate that demolition of existing buildings is justified in comparison to their retention and re-use, and where buildings are retained, integrate measures to make these more energy and resource efficient in accordance with criteria 3 and 5 below;
- c) where demolition of existing buildings is required, demonstrate the reuse of demolition and construction waste;
- d) demonstrate the integration of passive design measures, including delivering cooling without increasing carbon emissions, such as through optimal building orientation, natural ventilation, solar shading and the use of thermal mass to regulate indoor temperatures;
- e) be supported by a water efficiency statement that outlines, in priority order, measures to reduce water consumption, reuse water, or offset its use and achieve minimum water efficiency equivalent to 110 litres per person per day for any residential use, or non-residential development to achieve at least 3 credits in the Wat01 Measure for water in the BREEAM New Construction standard; and
- f) Demonstrate how waste will be minimised during construction and during the operation of the development. Residential development.

All new-build residential developments must achieve at least a three star rating under the BRE Home Quality Mark scheme. A whole life-cycle assessment should be undertaken as part of this assessment for major development.

3.16.3 When reviewing policy DM09 it is considered that the wording includes no flexibility and fails to have regard to viability and individual development proposals. As such, IM Land do **not support** the policy as currently drafted.

3.16.4 Further to the above, policy DM09 requires all new-build residential developments to achieve at least a three star rating under the BRE Home Quality Mark scheme. This is **not supported**. The BRE Home Quality Mark scheme is a **voluntary** certification scheme for new developments. To achieve the Home Quality Mark certification, new dwellings must exceed the requirements of established standards set out in Building Regulations. If a site is already meeting the requirements of Building Regulations, then there is no requirement in national policy for a site to go above and beyond this. The approach taken by the Council for all new build residential standards to meet this voluntary certification is onerous and has not been supported by any evidence. It is not considered reasonable to restrict the delivery of residential development when the BRE Home Quality Mark certification is a voluntary certification and exceeds Building Regulations. The requirement for BRE Home Quality Mark certification may not be suitable or practicable in parts of a development. On this basis, it is considered that policy DM09 has not been positively prepared and is not justified.



3.16.5 Taking the above into account, it is considered that the below recommendations are necessary to ensure that policy DM09 is sound and justified, as per the requirements of paragraph 36 of the NPPF. Therefore, draft policy DM09 should be amended as follows:

“All development ~~must~~ should aim to:

- g) minimise carbon emissions during construction, which may include use of low-carbon construction materials, and adopting energy efficient construction practices;
- h) where relevant, demonstrate that demolition of existing buildings is justified in comparison to their retention and re-use, and where buildings are retained, integrate measures to make these more energy and resource efficient in accordance with criteria 3 and 5 below;
- i) where demolition of existing buildings is required, demonstrate the reuse of demolition and construction waste;
- j) demonstrate the integration of passive design measures, including delivering cooling without increasing carbon emissions, such as through optimal building orientation, natural ventilation, solar shading and the use of thermal mass to regulate indoor temperatures;
- k) be supported by a water efficiency statement that outlines, in priority order, measures to reduce water consumption, reuse water, or offset its use and achieve minimum water efficiency equivalent to 110 litres per person per day for any residential use, or non-residential development to achieve at least 3 credits in the Wat01 Measure for water in the BREEAM New Construction standard; and
- l) Demonstrate how waste will be minimised during construction and during the operation of the development. Residential development.

~~All new build residential developments must achieve at least a three star rating under the BRE Home Quality Mark scheme. A whole life cycle assessment should be undertaken as part of this assessment for major development.”~~

3.16.6 IM Land therefore do **not support** the policy as currently drafted. Subject to the above minor modifications, IM Land would be supportive of this policy.

### **3.17 Policy DM10: Biodiversity and Geodiversity Protection and Enhancement**

3.17.1 Paragraph 187 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

3.17.2 Policy DM10 informs that all qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attribute to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric. Biodiversity Net Gain should be provided onsite wherever possible. All development must contribute towards protecting and improving biodiversity and geodiversity by:

- a) protecting and enhancing priority species and their habitats
- b) including measures to mitigate the impacts of climate change on the district’s flora and fauna
- c) protecting and enhancing green and blue infrastructure assets



- d) protecting riparian zones and watercourses by creating and enhancing undeveloped buffer zones alongside watercourses to ensure functional habitat corridors for wildlife
- e) protecting features and areas of geodiversity value and enhancing them to improve connectivity of habitats, amenity use, education and interpretation
- f) include appropriate measures to manage construction impacts by demonstrating how existing wildlife habitats supporting protected or priority species will be retained, safeguarded and managed during construction

3.17.3 Whilst IM Land **support** the principle of the policy and securing a mandatory requirement of 10% BNG, it is considered that the policy as currently worded does not provide any flexibility and sets an absolute requirement. For example, part c) of the policy requires developments to protect and enhance green and blue infrastructure assets. It is unlikely that the majority of developments will be able to fully comply with this requirement. Many development sites require the removal of some trees or hedgerows to facilitate development due to constraints such as access or levels. As such, it is requested that flexibility is built into the policy to allow developments to be delivered even when they cannot meet all of the requirements set out in draft policy DM10.

3.17.4 On account of the above, the following recommendations are made to amend the wording of draft policy DM10 to ensure that it is sound and justified, as per the tests set out at paragraph 36 of the NPPF:

All qualifying development proposals must deliver **at least** a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England's Biodiversity Metric.

All development **must should aim to** contribute towards protecting and improving biodiversity and geodiversity by:

- a) protecting and enhancing priority species and their habitats
- b) including measures to mitigate the impacts of climate change on the district's flora and fauna
- c) protecting and enhancing green and blue infrastructure assets
- d) protecting riparian zones and watercourses by creating and enhancing undeveloped buffer zones alongside watercourses to ensure functional habitat corridors for wildlife
- e) protecting features and areas of geodiversity value and enhancing them to improve connectivity of habitats, amenity use, education and interpretation
- f) include appropriate measures to manage construction impacts by demonstrating how existing wildlife habitats supporting protected or priority species will be retained, safeguarded and managed during construction.

3.17.5 Subject to the above minor modifications, IM Land would be supportive of this policy.

### **3.18 Policy DM12: Protection and Enhancement of Community Facilities**

3.18.1 Paragraph 98 of the NPPF sets out that in order to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments.

3.18.2 Policy DM12 informs that development proposals that protect, retain or enhance the provision, quality or accessibility of existing community, education and cultural facilities will be supported.



- 3.18.3 As drafted, IM Land **broadly support** the wording of the policy and the support to proposals that enhance the quality of existing community and education facilities. On this basis, IM Land wish to emphasise the development proposals at Land off Frolesworth Road, Broughton Astley and its intention to expand Frolesworth Road Recreation Ground and Orchard C of E Primary School and provide a community facility onsite. The option of BA1 seeking to expand and enhance these community facilities has been acknowledged by the District Council and supported by Broughton Astley Parish Council, who requested that the community facility was considered as a scout hut to serve the local scout group.
- 3.18.4 IM Land therefore have no further comments to make on this policy at this moment in time but reserve the right to comment further as the Draft Local Plan progresses.



# 4 Sustainability Appraisal

## 4.1 Sustainability Appraisal

4.1.1 As part of the supporting evidence base for the Draft Local Plan, a Sustainability Appraisal (February 2025) has been prepared by LUC on behalf of Harborough District Council.

4.1.2 The Sustainability Appraisal lists a series of objectives which include:

- 1) Minimise greenhouse gas emissions and develop a managed response to the effects of climate change
- 2) Protect, enhance and manage biodiversity and geodiversity
- 3) To support efficient use of resources, including soil
- 4) To conserve and enhance the historic environment including the setting of heritage features
- 5) Protect and improve air quality
- 6) Safeguard and improve health, safety and wellbeing
- 7) Achieve social inclusion and equality for all
- 8) To provide access to services, facilities and education
- 9) Provide affordable, sustainable, good-quality housing for all
- 10) Support the sustainable growth of the economy and provide employment opportunities
- 11) Reduce waste generation and increase levels of reuse and recycling
- 12) To manage and reduce flood risk from all sources and to protect the quality and quantity of water resources
- 13) Promote sustainable transport use and active travel
- 14) To conserve and enhance the character and distinctiveness of the landscape

4.1.3 The following scoring system is then used to score sites:

Symbol and Colour Coding	Description
++	Significant positive effect likely.
++/-	Mixed significant positive and minor negative effects likely.
+	Minor positive effect likely.
+/-	Mixed minor effects likely.
++/--	Mixed significant effects likely.
-	Minor negative effect likely.
--/+	Mixed significant negative and minor positive effects likely.
--	Significant negative effect likely.
0	Negligible effect likely.
?	Likely effect uncertain.



4.1.4 BA1 scores the following in relation to the above objectives:

1. Negligible effect likely
2. Minor negative effective likely / likely effect uncertain
3. Significant negative effect / negligible effect likely / likely effect uncertain
4. Minor negative effective likely / likely effect uncertain
5. Negligible effect likely
6. Significant positive effect
7. Negligible effect likely
8. Minor positive effect likely / likely effect uncertain
9. Minor positive effect likely
10. Minor positive effect likely
11. Negligible effect likely
12. Significant negative effect likely / negligible effect likely
13. Minor positive effect likely
14. Significant negative effect likely / likely effect uncertain

4.1.5 In accordance with Section 19 of the 2004 Planning and Compulsory Purchase Act, policies set out in Local Plans must be subject to Sustainability Appraisal (SA). For these documents it is also necessary to conduct an environmental assessment in accordance with the requirements of the Strategic Environmental Assessment (SEA) Directive (European Directive 2001/42/EC), as transposed into law in England by the SEA Regulations and which remains in force despite the UK exiting the European Union in January 2020.

4.1.6 Turning to the assessment of BA1, it is positive to see that the Site mostly consists of significant positive, positive, negligible or uncertain likely effects. This demonstrates the suitability of BA1 for development, hence its consideration as a draft allocation in the Draft Local Plan.

4.1.7 However, turning to the significant negative effects associated with SA Objective 3 (soil), given the rural nature of Harborough District, the majority of site options are expected to have significant negative effects on this SA objective as they consist of greenfield and agricultural land. It is therefore essential that sites are reviewed on an individual basis rather than in comparison with other sites to assess the level of effect. Further to this, it is also not possible to avoid building on agricultural land if the required levels of housing are to be met, as discussed throughout these representations. IM Land therefore do **not support** BA1's awarding in this regard and consider that the score should be changed to minor negative effect likely.

4.1.8 With regards to SA Objective 12, the entirety of BA1 is located within Flood Zone 1 (as per the EA's updated flood maps for planning). In terms of surface water flooding, there are nominal areas of this present onsite, with this mostly been concentrated in the eastern part of BA1. This has been considered in the design of BA1 and retainment of ditches in the development proposals. Surface water will be accommodated within the SuDS systems onsite and will also help improve existing surface water issues along Frolesworth Road, as well as biodiversity improvements. Further to this, as part of pre-application discussions with the LLFA, no technical concerns were raised and it was advised that a suitable drainage system is included within the proposals to mitigate any surface water flood risk. In this regard, it is considered that the scoring of significant negative effect likely should be amended to negligible effect.



- 4.1.9 In terms of the landscape, the existing landscape and hedgerows will be retained onsite wherever possible to inform new public open space and green corridors. Strong buffer boundaries are proposed onsite and additional landscaping will be introduced. Over approximately half of BA1 is proposed as open space and provides suitable buffering to the south and western boundaries. Therefore, IM Land consider that the score for BA1 should be changed from significant negligible effect likely to minor negative effect likely.
- 4.1.10 In account of the above scores afforded to BA1 in relation to soil, flood risk and landscape, IM Land do **not support** the findings of the Sustainability Appraisal and recommend that the following amendments are made in order for the Sustainability Appraisal to be considered sound and justified, as per paragraph 36 of the NPPF:
- BA1 should score minor negative effect in relation to SA Objective 3 on the basis that the wider Leicestershire area is rural in nature and therefore to ensure that the District Council meet their development requirements, it will be necessary to develop agricultural land
  - BA1 should score negligible effect in relation to SA Objective 12 given BA1 is located in Flood Zone 1 and proposes a suitable drainage strategy to mitigate any surface water flooding onsite. This is also evidenced by the LLFA as part of pre-application discussions who have not raised any significant concerns in relation to BA1 proposals and flood risk
  - BA1 should score minor negative effect likely in relation to SA Objective 14 on the basis that the proposals will retain strong landscaping buffers along the Site boundaries and also propose large portions of open space and green corridors onsite.



## 5 Policies Map

### 5.1 Policies Map

- 5.1.1 The Harborough Local Plan Regulation 19 consultation is accompanied by an updated Policies Map which illustrates site allocations and designations within the District.
- 5.1.2 BA1 is shown as housing allocation BA1 (Land off Frolesworth Road) for 475 dwellings. The Site adjoins Frolesworth Road Recreation Ground, Orchard C of E Primary School and Frolesworth Road Cemetery, all of which are designated as open space or recreational facilities under policy DM05.
- 5.1.3 IM Land **support** the illustration of BA1 on the Policies Map for a residential allocation. However, IM Land wish to note that the proposals include potential expansion land for Frolesworth Road Recreation Ground and Orchard C of E Primary School, with a parking area proposed for Frolesworth Road Cemetery. Whilst these areas adjoin those areas designated as open space or for recreational purposes, as per policies DM05 and DM12, the proposals seek to enhance the existing open space and provide new areas to serve the community.



## 6 Summary and Conclusions

### 6.1 Conclusions

- 6.1.1 These representations to the Harborough District Local Plan Regulation 19 consultation have been prepared by Stantec on behalf of IM Land.
- 6.1.2 IM Land are working with the landowners to bring the draft allocation at Land off Frolesworth Road (Site Ref. BA1) forward for development.
- 6.1.3 IM Land support Harborough District Council in undertaking the review of the Local Plan and welcome the inclusion of BA1 as a draft allocation. As detailed above, IM Land consider that a higher housing figure should be provided within the Local Plan to address Harborough's needs, Leicester and Leicestershire's unmet needs, and the affordability needs within the District. IM Land also wish to raise on this basis that whilst BA1 is proposed as a draft allocation for 475 dwellings, it is worth noting that Land off Frolesworth Road has the capacity to deliver up to 550 dwellings. It is considered that BA1 has the capacity to deliver up to 550 dwellings via a comprehensive masterplan and one that is of good design. The provision of an additional 75 dwellings onsite will help meet apparent needs within Harborough District, as raised within these representations.
- 6.1.4 IM Land have been engaging with Leicestershire County Council, Harborough District Council and Broughton Astley Parish Council to discuss the Site and development proposals. A pre-application request has been submitted to Harborough District Council to further discuss the Site proposals. Further to this, pre-application advice has also been provided from Leicestershire County Council Highways, National Highways and the LLFA, all of which advise that there are no overriding technical concerns to prevent the development of BA1.
- 6.1.5 Within these representations, IM Land have recommended amendments to several policies to ensure that a justified and sound Local Plan for Harborough District Council is progressed. We trust that these comments and recommendations will assist Harborough District Council in developing their Plan positively. We reserve our right to comment further on these additional documents and changes once published. We would be pleased to discuss these comments and recommendations with Harborough District Council in further detail, potentially as part of pre-application discussions.

# Appendix A Site Location Plan





# Appendix B LLFA Pre-Application Discussions



**From:**  
**To:**  
**Subject:**

[REDACTED]  
LLFA Response: Ref 2025-6502-03 - Frolesworth Road, Broughton Astley Leicestershire

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Dear Ryan,

Thank you for request for pre-application advice. Following review of the submitted documents, I can confirm the following.

The applicant is proposing to situate a residential-led mixed use development on a greenfield site.

When determining planning applications, the local planning authority should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site-specific flood risk assessment (FRA) confirming it will not put the users of the development at risk. Where a FRA is applicable this should be undertaken in accordance with the National Planning Policy Framework (NPPF) and accompanying Planning Practice Guidance (PPG).

From review of the Flood Map for Planning which shows fluvial flood risk, the site is located in an area associated with flood zone 1.

The risk of flooding from surface water map shows significant areas of the site to be at very low risk from surface water flooding with some parts located within high risk areas associated with ordinary watercourses.

Other sources of flood risk including (but not limited to) groundwater, canals, reservoirs, sewers, etc. should be considered as part of any forthcoming planning application. The LLFA would recommend reviewing the relevant Strategic Flood Risk Assessment for this area which may contain additional flood risk details.

The proposed site is situated within the River Soar catchment. Leicestershire County Council's Infrastructure Planning (Flood Risk Management) team has no record of flooding incidents within close proximity to the site. It is advised that not all instances of flooding are reported to Leicestershire County Council and as such, there may be a history of flooding for which we have no record.

All development has the potential to increase flood risk so it is essential that all forms of flooding are taken into consideration within any flood risk assessment (where required) or planning application. Where there is insufficient information regarding any aspect of risk, the responsibility to investigate falls to the applicant.

Leicestershire County Council as the Lead Local Flood Authority (LLFA) would expect a sequential approach to masterplan development, locating development in areas at lowest risk of flooding.

The LLFA would expect any surface water drainage proposal to seek to infiltrate unless demonstrated to be unfeasible. Such demonstration should include infiltration testing in accordance with BRE Digest 365 Soakaway Design.

Should this not be appropriate, the LLFA would expect runoff from site to be discharge to the next most appropriate receptor at rates and volumes no greater than the event specific greenfield values. Applicant has confirmed this in the pre-application.

The applicant has included attenuation for sub catchments identified to replicate the greenfield scenario.

Over the lifetime of a development, it is possible that the overall impermeable area contributing to surface water runoff within the site could significantly increase (known as 'urban creep'). Sensitivity testing of a 10% increase in impermeable area should therefore be included where appropriate to ensure that surface water drainage designs can cope with future increases in impermeable areas. Applicant has confirmed this in the pre-application.

As the adjacent River Soar is classified as Environment Agency main river, the applicant should consult with the Environment Agency to ascertain their requirements which would inform the masterplan. Such requirements would include provision of an easement from top-of-bank to allow maintenance to be conducted. Further, an Environment Agency Permit may need to be sought prior to any works being commenced.

Leicestershire County Council opposes the culverting of watercourses; however, we recognise there are instances where culverting may be unavoidable. Any applicant will be required to justify the use of culverts and provide information demonstrating that there will be no detrimental effect on flood risk. Please refer to the County Council's Local Flood Risk Management Strategy which contains the culverting policy (Appendix 3) which can also be found on our website.

To safeguard access to watercourses or ditches for future maintenance, inspection and improvement works in the future; clear margins should be provided from the top of banks. A minimum clear margin of 3m should be provided from each top of bank for watercourses less than 2 metres in width, a minimum clear margin of 4.5m should be provided for watercourses 2 metres or greater in width.

Any surface water drainage features should be located within the areas at lowest risk of flooding to ensure they remain operational during an extreme event. Any drainage features should also consider how an extreme event may constrain the discharge from any proposed drainage system and ensure the drainage infrastructure can adequately manage surface water runoff regardless (for example a surcharged outfall).

Where a site-specific flood risk assessment (FRA) is required by NPPF the associated drainage strategy should also provide outline operation and maintenance details along with an indicative proposal of who will maintain any SuDS features over the lifetime of the development.

Please find the LLFA planning checklist and guidance available on our website.

If you have any further questions, please do not hesitate to contact us.

Yours faithfully,



On behalf of LCC Infrastructure Planning (Flood Risk Management)

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# **Appendix C    LCC Highways Pre-Application Discussions**



## **PRE-APPLICATION DETAILS**

Highway Reference Number: 2025/0334/03/P/HEN

Location: Land at Frolesworth Road, Broughton Astley, Leicestershire.

Proposal: Enquiry. 600 dwellings

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## **GENERAL DETAILS**

Applicant: MEC Consulting Group - [REDACTED]

Parish: Broughton Astley

Road Classification: Class C

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**Please note that the contents of this report including any attachments are offered as my officer opinion and will not prejudice any future decision the Highway Authority may make in relation to this matter. The following comments are based on a desktop exercise; no site visit is undertaken for pre-application advice.**

## **Background**

This document is provided in response to an email from [REDACTED] MEC Consulting Group dated 20 January 2025 requesting pre-application highway advice from the Local Highway Authority (LHA). MEC's email seeks feedback in relation to the scope of transport evidence required to support an Outline with access development of up to 600 dwellings at land at Frolesworth Road, Broughton Astley.

The LHA understands that the site is located on the south-western edge of the village of Broughton Astley, west of Frolesworth Road, north of a cemetery and south of Frolesworth Road Recreation Ground. It comprises approximately 42.6ha of greenfield comprising mainly of farming land. The site location is shown in Figure 1 below:



Source: Google Earth

Figure 1: Site Location Plan reproduced from Figure 1 MEC Consultancy Group, Transport Scoping Report (TSR) document ref: 26502-TRAN-082

The LHA would note that, following consideration of the location and scale of development proposed and the thresholds of assessment requirements set out in the [Leicestershire Highway Design Guide](#) (LHDG), the applicant should produce a Transport Assessment (TA) and Travel Plan (TP) in support of the development proposals. As set out later in this pre-application response, the TA is required to be supported by use of the Pan Regional Transport Model (PRTM).

For clarity, this response is based on a review of the MEC Consultancy Group, Transport Scoping Report (TSR) document ref: 26502-TRAN-082, 'Frolesworth Road, Broughton Astley', dated January 2025. The remainder of the LHA's response is structured under the same headings of the scoping study.

## **Policy and Guidance Review**

Content Noted.

The applicant should also include details of how the proposed development is in line with relevant policy documents, including National Planning Policy Framework (NPPF - December 2024), the LHDG and Leicestershire's new Local Transport Plan (LTP4). It would also be useful to understand the context of the development proposal regarding the emerging Local Plan as it is not known to what extent the Local Planning Authority have been engaged yet.

## Existing Transport Conditions

### Opportunities for Sustainable Travel

Content Noted.

Notwithstanding the above, the applicant should also engage with Active Travel England (ATE) at the earliest opportunity to discuss opportunities for the development of walking, wheeling and cycle proposals. The LHA would advise the applicant to complete the [ATE planning application assessment toolkit](#) as part of the TA and TP process.

### Public Rights of Way

Public Footpath W60 passes through the middle of the proposed development, and the LHA note the applicant's initial draft plan incorporates the Public Right of Way (PROW). The LHA would be pleased to see the public footpath incorporated into the development in this manner because as set out in [Development and Public Rights of Way Guidance Notes For Developers](#):

- The proposals provide for the footpaths on or extremely close to their current alignments through public open space and green corridors;
- It accords with paragraph 8 which – “*encourages footpaths to be routed through public spaces*” and paragraph 9 “*that green corridors could form part of the development's allocated open space to be managed by the appropriate landscape/open space management company*”; and
- The approach removes concerns that are outlined in paragraph 11, that states that “re-routing of a path along footways, or its extinguishment, should be avoided where possible”.

The guidance notes are now referenced in the LHDG, so if the applicant follows the principles set out in the guidance notes the design will be in accordance with the LHDG.

Notwithstanding the above, the LHA would advise the applicant to consider including a pedestrian link directly to Footpath W84 from the estate road network in the vicinity of the north-western corner of the site. This new pedestrian link would enable new residents of the development to connect more directly with Gorham Close and Queen Elizabeth Crescent. Otherwise, pedestrians would have to walk along Footpath W60 into the far south-western corner of the site then walk all the way back up Footpath W48 to reach Gorham Rise and Queen Elizabeth Crescent.

If outline planning permission is granted there will need to be a more detailed discussion between the applicant and the LHA regarding the treatment of the PROW i.e. the paths need to be provided with tarmac surfaces, have a metre of open space either side, be signed adequately etc. The LHA would recommend that such provision is dealt with as part of the later stages in the planning process and would be happy for these issues to be secured by condition on any outline permission granted for the site.

### Highway Safety

The LHA agree with the applicant that the assessment of the Personal Injury Collision (PIC) should cover the latest five-year period for which data is available when the planning application is submitted. PIC data can be obtained from our Network Data and Intelligence (NDI) team by contacting [ndi@leics.gov.uk](mailto:ndi@leics.gov.uk).

As set out later in this pre-application response, the LHA requires the applicant to identify the area of impact of the proposed development based on the results from the PRTM modelling. PIC records are required to be considered over the same scope of network.

The PIC data will need to be analysed by the applicant to see if there are any emerging patterns / trends that could be exacerbated by the proposed development. If so, then the applicant will need to submit a road safety scheme (along with a Stage 1 RSA and Designer's Response) to the LHA for review.

## **Development Proposals and Access Strategy**

### **Development Quantum, Mix and Phasing Strategy**

Contents Noted.

### **Access Strategy**

Contents Noted.

It is unclear on the Concept Masterplan (Appendix A – TSN) precisely where the two vehicular accesses will be located. Nevertheless, the proposed access arrangements should be drawn up in line with guidance contained within LHDG, the DMRB CD123, 'Geometric design of at-grade priority and signal-controlled junctions, and /or the DMRB CD116 'Geometric design of roundabouts' as required depending on junction type and layout.

The LHA acknowledge that a speed survey was undertaken in June 2022 to support the visibility splays for the site accesses. The LHA notes that the speed survey was undertaken by Automatic Traffic Count (ATC) and that it had a permit. The applicant should confirm the location of the speed survey as part of any future planning application. The visibility splays should be based on the 85th percentile speeds and in line with the requirements in LHDG [Table 6](#). The applicant should note that the speed survey data should be three years old (or less) by the time the application is submitted. If the speed data is greater than three years old the applicant will need to repeat the ATC speed survey to obtain up to date information.

Notwithstanding the above, the LHA welcome the applicant's intention to submit Stage 1 Road Safety Audits (RSA1) for both vehicular accesses. The applicant should also provide Designer's Responses to any problems identified in the audits and amended designs if required.

Ideally, dimensioned site access drawings should be submitted in both AutoCAD and PDF format, along with details of junction type and any other models or supporting calculations.

### **Servicing Arrangements**

Given the trend towards Local Authorities using larger refuse vehicles, the LHA will require refuse vehicle swept path analysis to be undertaken using a refuse vehicle size of a minimum length of at least 11.2m, as required by the [LHDG](#). The applicant should note that the length of the Maximum Legal Length Articulated Vehicle has increased from 16.5m to 18.55m (in May 2023).

Therefore, the applicant should satisfy themselves that the new larger HGVs can undertake the same manoeuvres safely. For all vehicles, the LHA will require swept paths at junctions to be

undertaken at a minimum vehicle speed of 10mph or 15kph to provide a realistic swept path. This information should be included on the drawing.

### Access Junction Capacity Assessments

Junction capacity assessment of the site accesses with Frolesworth Road with 100% of development in 2035 to align with the final assessment year will be required.

### Layout, Parking and Servicing

It should be noted that, at this stage, the LHA's comments in this response are provided on an assumption that the initial planning application would be in outline only with all matters reserved except access.

The LHA would advise the applicant that LCC encourages proposals for adoption of new highway that is designed and constructed in accordance with the relevant policies, guidance and standards, including the LHDG. Further information on this approach can be found in [LHDG Policy 5 Highway Adoption](#).

The applicant should also consider the latest guidance for designing high-quality, safe cycle infrastructure as set out in LTN1/20 and how this would tie in with existing or any future infrastructure requirements for developments across the site. The applicant should refer to the Active Travel Principles section of the LHDG at: [Active Travel Principles](#).

In line with LHDG, the applicant should provide parking based on a minimum of two parking spaces for dwellings of up to three bedrooms and a minimum of three spaces for four or more bedrooms. Parking spaces should measure a minimum of 2.4 x 5.5m with an additional 0.5m width if bounded by a wall, fence, hedge, line of trees or other similar obstructions on one side, 1m if bounded on both sides as set out in the LHDG. For a garage to count as a parking space, internal dimensions should measure 3.0 x 6.0m for a single garage or 6.0 x 6.0m for a double garage. The LHA recommends that tandem parking layouts be avoided where possible, as these can lead to on street parking by residents of dwellings served by these arrangements due to the inherent inconvenience in their use. If more than two parking spaces are proposed in a tandem arrangement, only the first two will be counted towards the required minimum parking standards.

If the applicant is to seek the internal layout of the site to be adopted by the LHA, the LHA would expect the internal layout and parking of the site to be designed in accordance with the LHDG as part of a Full planning application or subsequent Reserved Matters application if Outline permission is secured.

### Trip Generation

The LHA acknowledge the predicted person trip generation in the TSN and subsequently the final vehicular trip rates which are reproduced below for clarity.

### Vehicular Trip Generation

	<i>AM 0800-0900</i>			<i>PM 1700-1800</i>		
	In	Out	2-way	In	Out	2-way
Walk	7	24	31	14	8	22
Cycle	2	8	10	5	3	7
Bus	4	12	16	7	4	12
Rail	1	3	4	2	1	3
Motorcycle, scooter, moped	1	3	4	2	1	3
<b>Car / Van Driver</b>	<b>112</b>	<b>389</b>	<b>501</b>	<b>231</b>	<b>136</b>	<b>367</b>
Car / Van Passenger	7	23	30	14	8	22
Work from home	7	25	33	15	9	24
Other	1	2	2	1	1	2
	<b>140</b>	<b>490</b>	<b>631</b>	<b>290</b>	<b>172</b>	<b>462</b>

Figure 2: Trip Generation reproduced from Figure 2 MEC Consultancy Group, Transport Scoping Report (TSR).

Based on the proposals for up to 600 units, the LHA understand the proposed development could generate 501 and 367 two-way trips in the AM and PM peak hours respectively. The LHA considers the external trip rates and trip generation to be acceptable.

The LHA note the anticipated school trips will be internalised on the basis the proposals include provision for an extension of the existing Orchard Church of England Primary school to help cater for demand from this proposal. However, the LHA would require further evidence / details of the level of school trips which the applicant considers will be associated with the school before this approach can be agreed.

### Trip Distribution

See Vehicular Impact Assessment section below for further comments.

### Vehicular Impact Assessment

Given the scale of the proposals the LHA would require full use of the Pan Regional Transport Model (PRTM) to understand the impact of the proposed development on the local highway network.

The LHA would suggest discussing and agreeing forecast years, testing scenarios / modelling assumptions and Area of Interest (AoI) through the PRTM process. The Highway Development Management (HDM) team, which has provided this pre-application advice, would require to be involved throughout the process to help ensure that the modelling undertaken is fit for the purposes of a planning application. This will include agreeing the pro-forma, agreeing a Local Model Validation Report (LMVR), attending the inception meeting, agreeing the uncertainty log, agreeing the forecasting results and so on.

The LHA would be grateful if the applicant could provide information on the likely opening years and build-out period / phasing. The LHA also considers that the applicant may wish to propose phased modelling to avoid a scenario where any mitigation ultimately identified is conditioned for delivery prior to the occupation of the first dwelling. The LHA would also advise that the modelling be undertaken for scenarios including all emerging Local Plan sites as well as just normal committed developments.

The results of the PRTM modelling will determine the extent of junctions which require detailed consideration. Furthermore, [PRTM](#) has the benefit of assigning and distributing trips onto the network and considers committed development as a part of the model run.

Once an Aol is established from a PRTM model run, traffic surveys could then be commissioned at the junctions where a significant impact has been identified on Leicestershire's road network. The applicant should note that it will be necessary to obtain junction turning count survey information for all the identified junctions.

The assessment scenario turning flows for junction modelling with future growth should be based on PRTM link flows alongside recent turning counts using an iterative Furnessing process, details of which are available via [etcf@leics.gov.uk](mailto:etcf@leics.gov.uk). This process can be undertaken by the modelling framework consultant if the applicant would like them to do so, if they are provided with junction survey data.

Leicestershire County Council offer a data collection service including a large traffic count database. For details of the services including location of traffic surveys in / around the site and obtaining a permit for traffic count/speed surveys, please contact [ndi@leics.gov.uk](mailto:ndi@leics.gov.uk).

Notwithstanding the above, the LHA have initial concerns about highway capacity and safety terms and the applicant's ability to mitigate the impact of the proposed development, particularly on B581, B4114 and A426.

### **Travel Plan**

Contents noted.

Leicestershire County Council is currently revising its travel plan guidance, which is due to be published in 2025. Therefore, the applicant may wish to look at government guidance and best practice to ensure the Travel Plan outline actions / measures and targets are included to reduce the number of single occupancy car journeys from the proposed development and encourage sustainable modes of travel.

The submitted Travel Plan will be reviewed as part of the formal response to the LPA.

### **Other Considerations**

The LHA would refer the applicant to the requirements in the [Highway Development Management](#) section in the LHDG for more advice / guidance for new developments.

### **Closing**

In summary, the LHA welcome engagement for the transport requirements for the proposed development and would need to attend any future PRTM meetings to progress this work if the applicant team are happy to co-ordinate during the planning process.

**Date Received**  
20 January 2025

**Case Officer**

[REDACTED]

**Reviewer**

**Date issued**  
27 February 2025

# **Appendix D      National Highways Pre-Application Discussions**



**From:**  
**To:**  
**Cc:**  
**Subject:**

[REDACTED]  
Frolesworth Rd, Broughton Astley - Transport scoping note - NH Response

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Dear Chris,

Thank you for inviting us to review the Transport Scoping Note (TSN), dated January 2025, in support of a pre-application for the Land West of Frolesworth Road, Broughton Astley. The TSN assesses up to 600 dwellings (Use Class C3) with the potential to deliver an expansion of the existing primary school, recreation ground, community building and cemetery car park on a 42.6 ha parcel of land. The site is located approximately 6km north of the A5, 6km east of the M69 and 4km south of the M1, which form part of the Strategic Road Network (SRN) in the area.

Based on our review we have set out our comments below for your consideration.

### **Trip Generation**

The trip generation has been completed using trip rates extracted from version 7.11.4 of the TRICS database. For the current assessment, trip generation has been calculated for 600 dwellings (C3 Use Class) using the total people option to ensure that the assessment is robust. We are content with this methodology.

We note that trip generation has not been provided for the proposed expansion of the primary school, community building and cemetery car park on the basis of producing internalised trips and the latter not being a peak hour generator. Please could you provide justification for not providing trip rates for the primary school in specific, using National Travel Survey Data.

-

### **Modal Share**

Thank you for providing a modal share based on 2011 Census journey to work data. We are content with the use of the national census data at MSOA level to derive the traffic distribution for the light vehicles.

Overall, we are content with the mode share methodology used. However, we recognise that in Table 2, the MSOA area for Fenland, Cambridgeshire has been selected. Please can you confirm if this is a typo as we would expect Harborough 004 to be selected.

### **Trip Distribution**

The trip distribution has been completed using the Census Origin-Destination by method of travel to work dataset and calculated using a zone-based system. We are content with this methodology.

Due to the proposed site's location to the SRN, we are interested in Junction 7 (A5 / Fosse Way Right-Left Staggered Crossroads) highlighted in Figure 4. We recognise that over 30 two-way trips will be generated on the A5. Please can information regarding the percentage split of traffic travelling in each direction on the A5 be provided. We note that, at later stages, we would expect traffic flow diagrams to be submitted.

In addition, the site is located 7.63km south-west of the M1 J21. Our independent trip distribution checks highlighted that a proportion of journeys to work will likely use this route. Please could a trip distribution of the M1 J21 be provided.

### **Impact Assessment**

Overall, we are content with the modelling work proposed in the TSN.

### **Scope of SRN junctions**

We note that only the A5/ Fosse Way crossroad junction will be assessed as part of the development. National Highways will be in a better position to comment on the SRN junctions that are to be assessed in detail following the review of the wider trip distribution and assignment exercise, particularly the M1 J21.

### **Baseline data**

We recommend traffic surveys are undertaken on a neutral day, representing typical network operations and that the traffic survey scoping information is shared with National Highways prior to undertaking the surveys. The location of these traffic surveys will be in part determined by trip distribution and trip assignment outputs. We would expect the MCCs to be supported by ATCs, queue length surveys and Degree of Saturation (DoS) surveys to enable model validation. Additionally, the suitability of the baseline data is to be checked by validating the data against WebTRIS or suitable historical data. The base junctions models will need to be evidenced as validating to the observed survey data.

We recommend that you estimate the network peak using the survey data and consider it for modelling purpose.

### **Model**

It is stated in the TSN that the junctions will be assessed using Junctions 9 and LinSig. We consider this to be acceptable in principle.

### **Background growth:**

1. Growth factor: We acknowledge that you propose to use the growth the survey data using TEMPro v8.1 for Harborough 004 MSOA and consider this as acceptable. We note that you have utilised 'All' road classification in Appendix F; however, for SRN junctions to be assessed, we recommend that you consider 'Motorway' or 'Trunk' road classifications.
2. Committed development: We acknowledge that you will liaise with the relevant local planning authorities to consider the committed developments that are to be included in the assessments. We also recommend you include committed highway schemes on the A5.

### **Future years**

The anticipated opening year of the development proposed is 2035 and therefore, we are content with the forecast year assessments to be undertaken for 2035. This is in line with the DfT's Circular 01/2022. Can you please confirm if the development will be delivered in phases or as a single phase?

It is important to note that these comments imply no pre-determined view of the acceptability of the proposed development in traffic, environmental or highway

terms and that these comments relate specifically to matters arising from National Highways' responsibilities to manage and maintain the Strategic Road Network (SRN) in England in line with DfT's Circular 01/2022 to support sustainable delivery of growth. Comments relating to the Local Road Network should be sought from the Local Highway Authority.

I trust the above comments are helpful. Should you have any queries, please do not hesitate to get in touch.

Kind regards,

  
Spatial Planning (Midlands South & East)  
Operations Directorate  
National Highways  
The Cube | 199 Wharfside Street | Birmingham | B1 1RN  
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