



2 May 2025

Dear Sir/Madam,

**Harborough District Council Draft Local Plan (Regulation 19) Consultation Representations on behalf of William Davis Homes, regarding Land off Leicester Road, Lutterworth (Draft Allocation L1)**

We have prepared this consultation response on behalf of William Davis Homes in response to Harborough District Council's (HDC) draft Local Plan Regulation 19 Consultation.

William Davis Homes submitted a site (Land off Leicester Road, Lutterworth) for a residential allocation as part of the 'call for sites' process for the emerging local plan, which is included in the 2021 Strategic Housing & Economic Land Availability Assessment (SHELAA).

Following this, and the Regulation 18 Issues and Options Local Plan consultation that took place between January and February 2024, the site has been allocated (ref. L1) for residential development in the draft Harborough Local Plan.

William Davis Homes is a housing developer based in Leicestershire and operates across the Midlands. William Davis Homes have been building new homes in the Midlands for over 90 years and are one of the most respected housing developers in the Midlands. Their work is underpinned by strong family values and understanding. William Davis Homes have been rated as a five-star housebuilder in the Home Builders Federation annual survey for the last 10 years; 90% of customers are happy with their home and their William Davis experience.

William Davis Homes actively engage with local planning authorities to highlight business needs and requirements whilst also ensuring that relevant local plan policies do not negatively impact on the delivery of homes and that per paragraph 61 of the National Planning Policy Framework (NPPF) (2024), the Government's aim of significantly boosting the supply of homes is met.

**Background**

William Davis Homes submitted a site (Lutterworth, Land off Leicester Road) for a residential allocation as part of the 'call for sites' process for the draft plan in 2021. The SHELAA assessment positively explained that the site is considered suitable for residential development and is available with the delivery of dwellings achievable within five years.



William Davis Homes have continued to engage with HDC by making representations to the Regulation 18 Issues and Options Local Plan consultation in 2024 and engaging with HDC's Site Promotion Service.

Following this, the site has been allocated (ref. L1) for residential development in the draft Harborough Local Plan. Draft allocation L1 is in an appropriate location in relation to the existing housing development, as it will be adjacent to the allocated dwellings and will form a rational extension to housing development in Lutterworth, promoting interconnectivity throughout the wider site.

## Scope of Representations

William Davis Homes support the allocation of L1 for residential development, and the general direction of growth set out in HDC's draft Plan but have provided representations on specific policies; these are set out below. These representations focus on draft policies relating to the expected mix and tenure of development.

These representations respond to:

- Draft Policy DS01 – Development Strategy: Delivering Homes;
- Draft Policy DS05 – Supporting Strategic Infrastructure;
- Draft Policy SA01 – Site Allocations;
- Draft Policy HN01 – Housing Need: Affordable Homes;
- Draft Policy HN02 – Housing Need: Mix of New Homes;
- Draft Policy HN04 – Housing Need: Supported and Specialist Housing;
- Draft Policy HN05 – Housing Need: Self and Custom Build Housing;
- Draft Policy DM02 – Amenity and Wellbeing; and
- Draft Policy DM06 – Transport and Accessibility.

In preparing our response, we have been mindful of the test for soundness set out in paragraph 36 of the National Planning Policy Framework (NPPF) (2024); namely we have sought to respond commenting whether the plan is:

- Positively prepared;
- Justified;
- Effective; and
- Consistent with national planning policy.

## Response to Draft Plan Consultation

We have structured our response according to the draft Policies within the draft Local Plan. Our response is supplemented by a review of the Local Plan Viability Report prepared by Brookbanks, which is provided in Appendix A.

### **DRAFT POLICY DS01 – DEVELOPMENT STRATEGY: DELIVERING HOMES**

William Davis Homes support the proposed quantity of residential development intended to be carried out across Harborough District over the next plan period, recognising that the housing requirement demonstrates the draft Plan has been positively prepared to adequately meet the objectively assessed needs of the District.

William Davis Homes support that market towns are proposed as one area of focus for development within Harborough District, recognising their role as centres of housing and

employment and the need to continue to promote this through the next plan period through the delivery of proposed allocations, including L1.

### **DRAFT POLICY DS05 – SUPPORTING STRATEGIC INFRASTRUCTURE**

Part 4 of draft Policy DS05 relates to developer contributions, requiring new development to be supported by and have good access to infrastructure.

There is a requirement for greater clarity on the approach in seeking developer contributions from Leicestershire County Council (LCC). LCC held a consultation in 2024 that proposed amendments to the adopted (2019) Planning Obligations Policy, identifying proposed changes to how LCC seeks developer contributions. However, this was challenged at the Charnwood Local Plan Examination (ref EXAM88<sup>1</sup>) and was subject to several objections. Due to this, it is essential that through draft Policy DS05, HDC are clear on the approach to how infrastructure will be funded to ensure the approach is fully viable and effective, per the requirements of paragraph 36 of the NPPF.

### **DRAFT POLICY SA01 – SITE ALLOCATIONS**

William Davis Homes support the allocation of site L1 (Land at Leicester Road, Lutterworth) for residential development, in recognition of its suitable location for accommodating the objectively assessed development needs for Lutterworth and the wider Harborough District, as a natural extension to the north of the town. As such, the allocation of the site is considered justified, as confirmed by the SHELAA Assessment Update (2024, ref. HSG-NLP 5) and Proposed Submissions Sustainability Appraisal (ref. S-NLP 4).

To add additional flexibility to draft allocation L1, the wording of policy requirements (within the Site Allocation Schedule) should refer to “*a minimum of 230 homes*” (italics added for emphasis). This will allow the allocation of land at Leicester Road, Lutterworth to be fully effective, in adequately and effectively responding to market conditions rather than future development not being restricted by policy wording, and allow for more homes to come forward if considered appropriate.

### **DRAFT POLICY HN01 – HOUSING NEED: AFFORDABLE HOMES**

While William Davis Homes recognise the value in delivering affordable housing, the proposed continuation of the adopted requirement for 40% of homes on new developments to be affordable is inflexible and has not been adequately informed by the draft Plan’s evidence base.

The Local Housing and Employment Land Evidence Report (ref. EMP-NLP 2) assesses local housing needs and demographics by sub-areas within the District, recognising the spatial variation, including between rural and urban areas. Table 5.3 (Lower Quartile Prices and Market Rents) is broken down by sub-area, highlighting those rural areas, Kibworth and the Leicester Fringe are the least affordable. Table 5.5 (Estimated Household income Required to Buy and Privately Rent by sub-area) further demonstrates that Rural Areas, Kibworth, Great Glen and the Leicester Fringe area experience the largest income gap. This analysis is culminated in Tables 5.7 and 5.10, noting that the greatest need for social/affordable rented housing and affordable home ownership are within the rural areas.

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<sup>1</sup> [https://www.charnwood.gov.uk/files/documents/exam\\_88\\_inspectors\\_post\\_mms\\_letter/EXAM%2088%20-%20Inspectors%27%20Post%20MMs%20Letter.pdf](https://www.charnwood.gov.uk/files/documents/exam_88_inspectors_post_mms_letter/EXAM%2088%20-%20Inspectors%27%20Post%20MMs%20Letter.pdf)

However, this has not been translated into the draft policy requirements, as a blanket requirement of 40% affordable housing has been given across the District, despite the evidence base looking at a finer scale; the conclusions have been overgeneralised. Rather, the draft policy should focus the requirement to deliver affordable housing in rural areas, and the Leicester Fringe, in recognition of the proportion of the plan's housing requirement in contributing towards the unmet housing needs of Leicester City. A lower proportion, in recognition of the findings of the evidence base, should apply to areas such as Lutterworth which are already more affordable, with a boost in housing delivery supporting this further. Therefore at present, the draft policy cannot be considered justified per the requirements for soundness in paragraph 36 of the NPPF.

Although the position of draft Policy HN01 is a continuation of the existing local plan position (adopted policy H2), this has not been effective. The East of Lutterworth Strategic Development Area has a pending application (ref. 24/01135/S106) to vary the Section 106 Agreement to remove the requirement to achieve a minimum of 40% affordable housing on each sub-phase, to a minimum of 10% and a maximum of 40%, in recognition that this will ensure the development can continue to be viable. Particularly given the location of this development within Lutterworth, this demonstrates that a blanket 40% affordable housing requirement is not feasible, and there should be a level of variation within draft Policy HN01 to reflect the sub-areas, and local market conditions.

WDH have instructed Brookbanks to undertake a review of the Aspinall Verdi HDC Local Plan Viability Report (ref. INF-NLP 2, January 2025), with a particular focus on the implications of development viability, which is provided within Appendix A of these representations.

The report identifies several fundamental input parameters that cannot be considered sufficiently robust to support a blanket 40% affordable housing provision across the high and medium value zones within the District. Furthermore, the report identifies that schemes in Lutterworth and Market Harborough did not meet the Benchmark Land Value when modelling 40% affordable housing provisions. A blanket 40% requirement for affordable housing is therefore not consistent with the Planning Practice Guidance on Viability<sup>2</sup> which requires policy requirements to be informed by a proportionate assessment of viability, and the policy requirement should be reduced.

By not introducing flexibility to the local affordable housing requirement, the plan may be unable to be effective in delivering the objectively assessed housing needs of HDC, per the requirements of paragraph 36 of the NPPF.

In amending the wording of draft Policy HN01, Sustainability Appraisal objectives 6 (health and wellbeing), 7 (social inclusion) and 9 (housing) can continue to be met, in a way that is more appropriate with the spatial context of specific developments.

## **DRAFT POLICY HN02 – HOUSING NEED: MIX OF NEW HOMES**

William Davis Homes support the principle of draft Policy HN02 in meeting the accessibility needs of wheelchair user in new developments, reducing the need to retrofit. However, HDC need to have regard to site-specific evidence on viability, and other factors that may make it impossible to provide step-free access.

Although the Local Housing and Employment Land Evidence Report looks at Census data by sub-area within the District for other factors of housing need (e.g. affordability), conclusions regarding

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<sup>2</sup> PPG 'Viability', ref: Paragraph: 001 Reference ID: 10-001-20190509

the population with a disability is provided as an overall proportion for the District. In recognition that this data may not be available at sub-area level, the policy wording should reflect this and include flexibility to ensure the aims of draft Policy HN02 can be delivered in a flexible way that is appropriate to the specific site.

While it should be an aim of developments to meet these standards, there should be flexibility in the policy wording to ensure that developments are not rendered unviable as a result of these requirements, ensuring the plan continues to be effective (per paragraph 36 of the NPPF).

#### **DRAFT POLICY HN04 – HOUSING NEED: SUPPORTED AND SPECIALIST HOUSING**

As with draft policy HN02, William Davis Homes support the principle of draft Policy HN04 in meeting the needs for supported and specialist forms of accommodation. However, the proposals for a blanket application on residential developments greater than 100 dwellings are inflexible and do not place enough emphasis on the appropriacy of this. While the final part of the draft policy notes that this is subject to the site offering “*a suitable location for the provision of this type of accommodation*”, details as to how this will be determined have not been given.

To ensure the policy is effective, there is a need for clear parameters regarding suitable locations, which may be most appropriate through specific, separate site allocations to meet this need. Without doing this, there is the potential for a blanket application of the policy to compromise the viability of developments, which would limit the ability for the draft Plan to deliver the objectively-assessed housing needs of HDC. This is not consistent with the NPPF, which states Plans are sound and considered effective when they are deliverable over the plan period.

William Davis Homes recognise the requirement and benefits of delivering supported and specialist housing, however, the delivery of this comes with a significant cost and potential delay in delivery depending on demand. Wheelchair-accessible dwellings (in particular M4(3)B) add significant cost through the required building fabric, circulation space, land-take, and need to reduce densities and modify servicing strategies as a result. This has not been accounted for in Viability Report (ref. INF-NLP 2, January 2025). Furthermore, the draft policy does not specify what must be delivered to meet this specification. Table 11 from the draft Plan (taken from the Harborough Local Housing and Employment Land Evidence, 2024) details the required units for different types of specialist housing for older people. This need is not broken down by location, and there is limited provision in the draft policy for what types will be expected and where, outside of “providing the site offers a suitable location”. Providing additional detail and nuance within the policy wording will ensure that it can sufficiently meet the needs of the district as highlighted by the evidence base and fulfil the objectives in the Sustainability Appraisal the draft policy has been assessed against, without compromising the viability of proposed developments.

#### **DRAFT POLICY HN05 – HOUSING NEED: SELF AND CUSTOM BUILD HOUSING**

William Davis Homes recognise that there is a local demand for self- and custom-build housing plots, however it is not appropriate to assume 10% of all dwellings on residential sites of 40 dwellings or more should accommodate this.

Table 7.12 of the Local Housing and Employment Land Evidence Report (ref. EMP-NLP 2) identifies that in the most recent period (2023/24) there were 16 individuals on the register, however this data does not extend to the specific requirements of these individuals, such as location. Although there is local interest, this does not necessarily translate to an interest in

providing suitable plots across all large residential sites within the HDC. The evidence base therefore fails to provide adequate justification for this requirement and going above and beyond the currently adopted position (per Policy H5) of “*the provision of land... as part of an appropriate mix of dwellings*”. As such, the choice of 10% (compared to an alternative proportion of sites) appears arbitrary; alternative levels of provision have not been tested within the Sustainability Appraisal to determine that this is the most appropriate.

While the policy states that a lower level of provision may be permitted where there is clear evidence of lower demand, there is limited provision in the policy for the point at which this will be considered adequate, stating this would only be the case if evidence is provided that a thorough marketing exercise has been undertaken over a period of at least 18 months. This would likely result in vacant plots and require a new planning permission following this period. Unless the draft policy recognised that a reduced (e.g. 3-month) period was more appropriate, the requirements would limit the ability for sites to deliver their full development guideline, thus making the plan ineffective (per paragraph 36 of the NPPF) in reducing its ability to deliver the local housing need. Therefore, a review mechanism should be built into the policy with explicit timescales of when plots identified to be delivered as self- and custom-build housing plots may be returned to the delivery of market housing.

Furthermore, the delivery of self- and custom-build housing plots is overly complex and unlikely to be feasible in a practical or logistical sense in the delivery of wider residential sites. As a result, there are likely to be health and safety implications through the co-delivery of the wider site with these self- and custom-build plots, which has not been reflected in the Sustainability Appraisal. The Sustainability Appraisal (Table 7.6) has assumed positive effects for objectives 6, 7 and 9, however this is assuming (per the Health Impact Assessment, ref. PRE-NLP 4) that these levels are carried out across all sites, which is unlikely. Instead, there would be vast significant negative effects as a result of these plots not coming forward.

In recognition of the appropriacy of particular locations for the delivery of self- and custom-build housing plots, in their attractiveness to individuals on the local register and suitability of sites for allowing plots to come forward separately without negatively impacting delivery, the current position of adopted Policy H5 should be continued. This will ensure there is sufficient flexibility that correlates with the unpredictability of this specific market, rather than seeking these plots to deliver the objectively assessed local housing need of HDC, in addition to the draft expectations for affordable and specialist housing.

## **DRAFT POLICY DM02 – AMENITY AND WELLBEING**

William Davis Homes support the use of the draft Plan’s evidence base in assessing the appropriacy of draft allocations and the proposed spatial strategy in delivering the objectives of the Plan and ensuring development is sustainable. As such, the requirement within draft Policy DM02 to submit a Health Impact Assessment “*to ensure potential health and wellbeing impacts are thoroughly evaluated and addressed from the outset*” is inappropriate for allocated sites as this has already been covered in Appendix E of the Sustainability Appraisal, and there is no further requirement in national planning policy or guidance.

## **DRAFT POLICY DM06 – TRANSPORT AND ACCESSIBILITY**

Draft Policy DM06 focuses on the requirement for developments to ensure safe movement by all means, and for development to be carried out on sustainably located sites. However, part 2e of the draft Policy requires the provision of Car Club spaces sufficient for the location and type of development, despite the evidence base not suggesting this is a specific local requirement, and no precedent being set within the NPPF. In addition to there being no justification for this, the expected scale of provision and sites considered by the Council as most appropriate are not given; the wording lacks specificity to ensure effective delivery.

William Davis Homes suggest that draft Policy DM06 is clarified to remove the suggestion that Car Club spaces should be delivered across all allocations and new developments, and instead only be required where there is evidence of local demand or an active operator. The draft Plan's evidence base is absent of evidence to demonstrate that Car Clubs currently operate within HDC, or that there is market interest into expanding services into the District. As such, per the requirements of paragraphs 32 and 36 of the NPPF for policies to be supported by up-to-date evidence to be considered justified, draft Policy DM06 should be amended to ensure there is no unnecessary burden on sites through the requirement to deliver this. While it may be considered that the provision of Car Club spaces are most suitable within town centres, William Davis Homes suggest this is clarified within draft Policy DM06, to remove the suggestion that they should be delivered across all allocations and new developments.

### **Summary**

William Davis Homes welcomes the opportunity to respond to the Regulation 19 consultation for the Council's new Local Plan and supports the general direction of growth.

As set out within this representation, for the plan to be effective in delivering the local housing need, there are required changes to the wording of draft Policies to enable sites remain viable. Additionally, any guidance that is not a national policy requirement or a legal requirement should be removed to ensure that there is no unnecessary pressure on the delivery of houses.

We trust that our comments are clear, but should you have any queries, please do not hesitate to contact me [REDACTED] or my colleague [REDACTED]. We also request that we are informed of any future updates regarding the draft Local Plan.

Yours faithfully

