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No:

Proposed Submission Draft Harborough Local Plan 2020-2041 Representation Form



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

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

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

Part A: Part A only needs to be completed once

1. Personal details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Quod OBO Urban&Civic and Homes England"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
Email	<input type="text"/>

2. Agent's details (if applicable)

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation (where relevant)	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
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Part B:

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

Representation Form

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

E.g. Paragraph/Policy/Map/Other

SA02

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

Positively prepared Justified Effective Consistent with National Policy

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

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

Legal Compliance:

Planning Obligations placed on development proposals for Site SA02 will need to be compliant with the tests set out in Regulation 122 of the CIL Regulations (2010 as amended). At present the 'fixed' and 'inflexible' wording around infrastructure requirements, in association with other Plan policies (DS05 and HN01) mean that there are foreseeable circumstances where it would not be possible to be in accordance with the Local Plan policy (which requires all infrastructure listed in the policy to be delivered) and Regulation 122 (being necessary to grant planning permission and fairly and reasonably related in scale and kind). We suggest amendments to rectify this.

Soundness:

The Development Partners welcome the draft policy and agree with much of its content. Our comments below are aimed at securing soundness and can be dealt with through specific Minor Modifications which we propose in a following section.

Not Justified:

The policy is broadly 'justified' but parts of the policy, including the level of detailed requirements for uses (Education, Employment Land, Travelling Show People, Affordable Housing) are not justified based on the previous and new evidence brought forward in the Plan.

In light of the new evidence provided, on which OWBC's Local Plan also relies, we have removed previous suggestions in response to the OWBC draft to delete those parts of policy relating to employment land and travelling show people. Instead we have suggested amendments to the policy wording to reflect the evidence. In the following section on the evidence base we review and highlight relevant parts of the Local Plan evidence base which are not consistent with proposed policy, and also detailed work undertaken by the Development Partners. In the main these can be resolved by revisions to the draft policy although on Transport issues further evidence will be required and the Development Partners are seeking to work with the Authorities to commission this work.

Not effective:

The cumulative impact of meeting the requirements of Policy SA02, including the additional requirements for Travelling Show People, Employment Land and providing for strategic as well as scheme education needs, on the site, challenges the site capacity to meet the identified housing need and the costs (including opportunity cost of land for uses other than housing) risk making the site not 'deliverable'.

In comparison an immediately neighbouring site, allocated for 600 homes in the Regulation 19 draft OWBC Local Plan, has limited on site infrastructure requirements but is expected to only provide 20% affordable housing, compared to 40% across this site. The Viability Study for the HDC Local Plan does not demonstrate that the 40% affordable housing requirement is deliverable, and the approach taken is inconsistent with the NPPF paragraphs 56 to 59.

As a general principle the site will see delivery beyond the period of both Local Plans and is therefore going to be subject to changing demographic and technical requirements and new and different models of public service provision. Policy should be flexible enough for development to respond to these changing circumstances whilst ensuring that the infrastructure and quality are secured.

Our proposed changes, based on the Development Partners' experience elsewhere, strike an appropriate balance. General Plan policies do allow for site specific viability assessment (DS05 and HN01) but only in exceptional circumstances and expect fixed on site requirements to be a starting point. For a site like this, which is critical to Plan delivery, it would be more appropriate, based on the Councils' own viability evidence and recent experience on strategic sites here and elsewhere, to have a flexible policy which allows for a phased approach to viability and for infrastructure and housing priorities to be planned for, monitored and managed in a transparent way.

The Development Partners produced a broad Vision for the site submitted in July 2024 (Appendix 2). This document pre-dates the draft policy and was undertaken to help identify the land budget and capacity of the site. The emerging policies from both Councils (HDC and OWBC) introduced additional requirements for the Site. In producing this response, the technical team have reviewed the illustrative masterplan to test the site capacity to meet these additional requirements. The Illustrative Masterplan as shown in Appendix 3 This confirms that the policy requirements can be met on site, subject to the suggested modifications on specific uses and flexibility requested. A more detailed updated land budget will be produced in advance of the examination.

The Development Partners has engaged with the authorities on the technical issues arising from the vision document (Appendix 2). This document should be regarded as indicative and will be updated once revised transport modelling is available.

The site continues to have capacity for c. 4,000 homes which would be roughly split between 1,000 in OWBC and 3,000 in HDC depending on the locations of infrastructure and open space. The policy should allow the flexibility for 850 to 1,000 homes in OWBC, and the balance in HDC. The split will be confirmed through the masterplan and planning application process with placemaking in mind.

Parts of the policy are not consistent with National Policy as set out in the recently published NPPF (2024). Specifically, Part b of Policy 9, and supporting text paragraph 12.10.5, does not reflect the NPPF paragraph 109, which states that a vision-led approach should be used to identify transport solutions that deliver well-designed, sustainable and popular places. We suggest the amendments that follow.

Compliance with Duty to Cooperate:

The policy is a good example of strategic co-operation that the Government is seeking to encourage, being a joint policy between Authorities to meet agreed strategic need.

Evidence:

U&C and HE have previously submitted a vision for the site (Appendix 2) and associated summary of evidence from their professional team across the full range of specialist areas. This confirms the broad site capacity, indicative layout, and that the site is deliverable.

In relation to the evidence that is currently published we make the following points:

Infrastructure Delivery Plan, Stage 2 Infrastructure Schedule, February 2025

The Development Partners agree with the Council that well planned and delivered infrastructure is critical for the success of the development of site SA02.

The Stage 2 Infrastructure Delivery Plan provides a reasonable assessment of demand for infrastructure, confirming the detailed assessments that the Development Partners have undertaken for the site which were appended to our July 2024 submission. The Development Partners have been keeping these reports updated, but the broad conclusions remain the same. They are happy to provide more detail in any area should the Inspectors wish to be informed.

The Development Partners have also been engaging with HDC, OWBC and LCC on specific issues that have been raised by LCC in relation to infrastructure for which they have responsibility: principally education and transport.

In relation to education the OWBC and HDC Regulation 19 Draft Plans have slightly different requirements and it is important that these are made consistent. Appendix 4 sets out what the Development Partners believe is the current factual position and should be reflected in policy. This has been discussed with the Authorities and the Development Partners will be seeking to agree a Statement of Common Ground with the Councils following the Regulation 19 submissions.

In summary the requirements (across Oadby and Wigston and Harborough) are:

- Early Years provision on site
- Up to 6FE primary school provision generated by the site, and to be provided on site
- Up to 8FE of secondary provision, with land to be provided and capital contributions to meet the needs of children living on the site, of which up to 4.5 FE may be generated by the site.

In order for any planning obligations to be lawful they will need to meet the requirements of Regulation 122 of the CIL regulations. This will need to include equalisation mechanisms in relation to both land and capital costs to ensure that developers of other sites that benefit from this strategic provision to meet their need contribute towards this. In addition the phasing of secondary school delivery is likely to require a school of a size larger than the needs of on site residents, in part in advance of need. It will be essential that there is a mechanism supported by public sector partners to ensure that this can be funded with appropriate external contributions to avoid delay to development.

Given the long duration of the project and uncertainties about wider demographic and policy changes the policy sensibly proposes that an Education Delivery Strategy be produced with a planning application to deal with the detail that cannot be dealt with at Local Plan stage. Subject to the proposed changes we believe this part of the policy is sound.

The proposed Local Centre in the indicative Masterplan has capacity to meet the NHS requirements set out in Table 12, again subject to an appropriate delivery model. The IDP also identifies the potential need for sewerage and surface water infrastructure investments, the need for a masterplanned approach to transport and highway integration (4.1.1) and car parking provision (4.1.5). These have been assessed in detail by the Development Partners and their technical team and can be practically addressed at feasible cost. The site has capacity for water attenuation that can also contribute to reducing flood risk in the surrounding area.

Any other planning obligations will need to meet the tests of Regulation 122 of the CIL regulations

Harborough District Council Local Plan Viability, Main Viability Report, January 2025

Both HDC and OWBC have commissioned viability assessments of their Local Plans. The Development Partners have submitted information on development content, costs and phasing and engaged with the consultants on those studies.

For avoidance of doubt this is not a number that HE or U&C recognise and may have arisen from an error in transcription from a meeting.

We have responded in separate representations to OWBC (on their study undertaken by HDH), noting that the Councils agreed that the HDC study (undertaken by Aspinall Verdi) would contain the site specific viability assessment for Land South of Gartree Road. In summary our conclusion on that report was that

“We would... note that Table 10.9a (of the Whole Plan Viability Assessment 2024) showing maximum developer contributions for sites in Oadby indicates that site AP5 has lower maximum developer contributions than the neighbouring site AP6. AP6 is also proposed as a draft allocation but with lower infrastructure requirements, including no on-site schools, and with 20% affordable housing.”

On the basis of this evidence the 40% affordable housing (in addition to the full range of other requirements) is not justified. We therefore propose flexibility in the policy to have the 40% as an ‘up to’ target and subject to viability considerations.” (Development Partners’ Response to OWBC Regulation 19 Draft Plan)

We have attached at Appendix 5 an assessment of the HDC Viability Study and site specific appraisal, produced by CBRE. In summary it concludes that while the viability study is correct to find the site broadly viable, it does not justify a fixed 40% requirement for affordable housing (the sample appraisal shows a deficit at this level) in Policy SA02 and the approach taken to the policy is therefore not consistent with national policy and nor is it justified.

The report repeats the advice that the Development Partners have previously provided: that the model it uses is not reflective of the ‘Master Developer’ model for a large strategic site such as this, which probably overstates the immediate viability. Similarly several of the inputs lack evidence or are not appropriate or up to date.

Therefore, for the policy to be ‘Effective’ (Deliverable), it needs to allow for the uncertainty in the precise levels of affordable housing and infrastructure requirements for each phase.

We note that Policy DS05(5) allows for viability assessment, it also sets an expectation that the policies have been viability tested and that ‘policy compliant contributions will be made’. Similarly Policy HN01d, allows, in Exceptional Circumstances, a lower level of affordable housing to be provided based on viability evidence, and part (e) for schemes of over 500 homes it allows for re-assessment over the lifetime of the development. In our view, for Policy SA02 to be justified it needs to reflect the fact that the Viability Study does not demonstrate viability at 40% affordable housing and detailed infrastructure requirements (see above) will need to be defined and will vary through the lifetime of the development.

Rather than rely on policies DS05 and HN01 to operate as a ‘reactive’ safety valve it would be both **justified** and **effective** to acknowledge these uncertainties up front and allow for flexibility to deliver for a range of outcomes on a phase by phase basis, agreed at the time of any Planning Permission and based on a transparent and co-operative approach of prioritisation, rather than a confrontational approach driven solely by viability assessment.

Employment Land

Harborough Local Housing and Employment Land Evidence Report and Appendices (2025) & Strategic B8 Needs Sensitivity Report (2025)

These two reports set the Evidence Base for the requirement to provide 5 hectares (ha) of employment land in the draft plan policy.

These reports identify an 'objectively assessed need' of 61 hectares of employment land with a further 16.4 hectares allocated to strategic sites, including SA02 (see Policy DS02). The detailed justification for and proposed uses to be incorporated into this land are not set out.

The NPPF (paragraphs 77 and 111) suggests that large sites should consider realistic options for employment uses on site. In the case of site SA02 this will also need to consider placemaking and the role of the site in the wider South East Leicester context. This makes it unlikely to be an appropriate location for B8 uses. This would therefore suggest the potential for smaller scale E class uses linked with the settlement and a proportionately sized local centre. In addition the development will provide hundreds of jobs in public and other local services.

In this context, where the specific uses/need has not been justified it is unsound to use a simple 'hectare' measure in the policy and would be more appropriate to list the types of uses (Town Centre E Class and possible B2) which does not compromise residential amenity. This should have an 'up to' 5ha' figure given the non-town centre location. This would make this part of the policy effective (deliverable).

For avoidance of doubt the site does have the physical capacity to meet this requirement, but the final amount and format should be left flexible.

Gypsy, Travellers and Travelling Showpeople

The Draft Policy (Part 4D) requires the provision of a site or sites for 5ha of land for travelling show people ('TSP').

Two evidence base reports support this approach, the ***Harborough District Council Gypsy and Traveller Accommodation Assessment (2024)*** which identifies broad need and the ***Gypsy & Traveller and Travelling Showpeople Site Assessment (Final Report November 2024) which considers individual sites.***

The latter, in assessing the role of sites in delivering need for TSP suggests the following draft policy at Paragraph 6.11:

- *"Part 1: provision of land for 'up to 5 hectares'*
- *Part 3: Offsite yards in lieu of the plots required on the strategic allocations will only be acceptable where all of the following criteria are met (as well as the criteria set out in Policy xxx 5. below):*
 - a) the alternative site provides for at least the same quantity of provision as required by the relevant allocation policy;*
 - b) the alternative site is considered as sustainable with regards to access to services when compared with the site allocation for which it is a substitute.*
 - c) the site can be developed within the same timeframe (or faster) as the strategic allocation site being replaced; and*
 - d) the site would meet the needs of the Showmen it is intended to accommodate."*

This has not been carried through into either Policy HN06 (Housing Need: Gypsy and Traveller and Travelling Showpeople Accommodation) or site specific policy SA02.

As the report notes sites for TSP have significant site specific issues, in particular the need for access to the main highway network and for commercial, and sometime noisy operations to take place on them. In addition occupiers seek security to prevent access to their equipment. This would provide part of the justification for allowing the potential for provision on land nearby, but not necessarily part of, a mixed use allocation.

Urban&Civic, through the Farmcare Estate has major landholdings in the area to both the north and south of the site. One or more of these sites might provide a better option for provision of this land than within the SA02 allocation. If the Council was to include the policy proposed by its advisors in its evidence base, this would make the policy '**effective**' (deliverable) in allowing alternatives to be brought forward provided that they met specified criteria.

This could be included only in Policy SA02 if the Council does not wish to apply it more generally and would combine the certainty of a site specific allocation with the flexibility, and the possibility to accelerate provision.

Transport Evidence

The Development Partners have been engaging with HDC, OWBC and LCC in relation to transport evidence. The evidence base, across the two plans has been commissioned by various parties (HDC & OWBC and LCC), and the Development Partners have commissioned their own site specific study, (a summary of which is included as part of the technical summaries at Appendix 6).

The South Leicestershire Joint Transport Evidence, Stage 1, prepared by AECOM, dated January 2025 takes a high level view of strategic sites, including Land South of Gartree Road, and confirms the Development Partners' view that:

"Our initial view from a high-level assessment of forecast modelling suggests that the issues created by the following sites are of a scale that could be mitigated"

The Development Partners commissioned their advisers (SLR and i-Transport) to review the approach and evidence documents. A summary of their conclusions is attached as Appendix 6. This finds that the recent adoption of the 'Vision and Validate' approach in the December 2024 NPPF update confirms the broad approach taken in their proposed strategy for site SA02. It notes that there are differences in the various modelling assumptions and the need for an agreed approach to updated modelling, which can then inform the final strategy and mitigation measures.

The Development Partners are aware that LCC took a draft response of the Regulation 19 Draft Plan to its Cabinet on 18 March 2025 which raised concerns about the approach currently being taken to transport planning. In this context The Development Partners and their technical consultants have engaged with LCC, HDC and OWBC and have attended two meetings to agree a way forward. It has been agreed in principle that the Development Partners will commission LCC to undertake two items of work:

- LCC to provide the 2023 PRTM traffic data to allow SLR to run a comparison with the 2019 PRTM traffic data which has been used to date;
- LCC to run the PRTM model for two strategic scenarios, with high-level parameters, proportional for testing a Local Plan stage (such as access locations) agreed in advance. This will also include the testing of a 'through route' through the site between the A6 and Gartree Road.

This should enable the Development Partners and Authorities to reach an agreed position on modelling and programme to then address strategic issues, including design and mitigation measures and the scope and costs of any off-site works. The Development Partners are aiming to agree a Statement of Common Ground with the Authorities on these matters in advance of the examination.

In the meantime they and their advisers remain confident that the site is deliverable, supported by practical and proportional mitigation measures. We propose minor changes to policy to make it justified and effective (deliverable).

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

The Development Partners welcome the draft policy and agree with much of its content. Our comments below are aimed at securing soundness and can be dealt with through specific Minor Modifications which we propose in a following section.

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

1. Land South of Gartree Road, as identified on the Policies Map, is allocated for a new sustainable, residential-led mixed-use development. The site adjoins land within the administrative boundary of Oadby and Wigston Borough Council and will form a cross-boundary site allocation within respective Local Plans. The Councils will work together with partners to deliver a comprehensively planned cross boundary development in accordance with an approved heritage **informed** led masterplan.
2. Mechanisms for effective delivery of infrastructure will be required to support the development. Infrastructure, as set out in the Infrastructure Delivery Plan, must be implemented alongside development in accordance with **triggers and obligations** a Phasing Strategy approved by the Councils, **subject to flexibility to ensure that it continues to meet the changing needs of the development and wider area.**
4. The masterplan for the site must meet the masterplan requirements set out in Appendix 6 and include:
 - a) Phased delivery of approximately 4,000 new homes, of which **at least 3,150 3,000** are to be in Harborough District.
 - b) Provision of **appropriate employment uses, services and a local centre providing jobs broadly equivalent to up to** 5 hectares of new general employment land within Harborough District.
 - c) **Capacity for** Provision of all required community infrastructure as set out below.
- 4a. Provision of a site or sites of **up to 5 hectares** of land **on the site or in the broad area** to meet the needs of travelling show people within Harborough District. **Off site provision will only be accepted where:**
 - a) **the alternative site provides for at least the same quantity of provision as required by the relevant allocation policy;**
 - b) **the alternative site is considered as sustainable with regards to access to the road network and services when compared with the site allocation for which it is a substitute;**
 - c) **the site can be developed within the same timeframe (or faster);**
 - d) **the site would meet the needs of the Showpeople it is intended to accommodate; and,**
 - e) **the site will not have an unacceptable adverse impact on existing neighbouring residential amenity, including noise from any commercial activities.**
5. Delivery of new homes must include:
 - b) **A proportion of new homes delivered as affordable homes compliant with the Policy HN01 up to a target of 40 per cent, subject to viability.** ~~40 per cent of the new homes across the entire site delivered as new affordable homes in accordance with Policy HN01.~~

6. Delivery of the following community infrastructure is required to serve the new development, ***in doing so applicants should consider the potential for multi-use facilities, co-location of provision and community access to services:***
- b) ~~Provision of~~ ***Capacity for*** a new Primary Health Centre and wider NHS healthcare services, to be located within or adjacent to the new Local District Centre.
 - c) Provision of a new community hall and leisure facilities, to be located within or adjacent to the new Local District Centre ***or as part of co-located provision***
 - d) Provision of sports pitches, children's equipped play areas and other outdoor recreational facilities, serving identified needs, along with new open spaces in accordance with ***informed by*** the relevant standards set out in the supporting text to this policy.
 - e) ***Provision of capacity to meet the educational needs of the site, with pre-school, primary school and secondary school demand met on site in full with capacity to meet wider strategic growth needs for secondary school provision if required. The Applicant should produce an Education Delivery Strategy to be approved by the County Council which considers options for meeting these requirements which will include the provision of new schools meeting DFE standards and may include the expansion of existing schools. This will include mechanisms for equalisation of contributions from other sites which rely on the capacity of the site, or from other public bodies where it is to meet basic need, which will cover land and capital costs. This will also include mechanisms for securing forward funding where a school is expected to provide wider capacity in advance of other developer contributions being secured.***

Site specific requirements will be based on relevant County Council yields, at a minimum the Masterplan should demonstrate capacity for:

- ***Up to 6 forms of primary school entry including early years provision, with locations based on ensuring walkable access from all parts of the site;***
- ***Up to 8 forms of Secondary School Entry, noting that demand for up to 4.5 forms of entry is likely to be generated by the site.***

The delivery of school provision will be phased with the development and monitored to ensure that it continues to meet requirements.

~~Provision of education facilities to meet the primary and secondary needs arising from the site. Provision of sufficient land for an 8-form entry secondary school, including post 16 provision to accommodate wider strategic growth needs and 5 forms of entry primary school provision, including early years provision. Other developments or public funding will be required to contribute to the costs of any provision that is not required to meet the needs of the site. The Applicant should produce an Education Delivery Strategy in conjunction with the County Council to be approved by the Councils which considers options for meeting these requirements which will include the provision of new schools meeting DFE standards and may include the expansion of existing schools.~~

Environment and Design

7. The following environment and design aspects must be adhered to.

- a) The development must illustrate the highest standards of design through submission of a Design Code(s) **Design Principles** as part of the masterplan **and a Design and Access Statement with Design Codes for each part of the development as it is brought forward.**
- d) Development must retain and enhance the comprehensive Green and Blue Infrastructure Networks **where possible**, including existing woodland, spinneys, and hedgerows throughout the site to create an immediate mature setting for new development and to integrate the development with the surrounding landscape.
- e) Landscaping should be designed to, **where possible**, screen potential views to the development, particularly in **from** visually sensitive areas which include Wash Brook Valley footpaths, the eastern slopes **of** near the River Sence corridor, and the southern fields adjacent **to the immediate south of the Listed Building at Stretton Hall.**

Transport

9. The following transport aspects must be adhered to.

a) The strategy for the site must be underpinned by a vision-led approach promoting sustainable transport modes to, from and within the site, and demonstrate how the components of the strategy can build up over time to support the development;

b) **c)** Impacts on the wider strategic and local highway must be mitigated. The impacts will be informed by a **sustainable** Transport Assessment that sets out off site and on-site transport measures to mitigate impacts from the development.

e) **f)** There must be provision for a frequent (minimum 15-minute) **zero-low** carbon bus service connecting the site with the wider service network, as well as other sustainable public transport solutions.

f) **g)** There must be provision of an appropriate number of bus stops and associated infrastructure, including bus shelters and information display boards on-site. Travel Plans incorporating measures to encourage more sustainable travel behaviours will be required. **These could include Mobility Hubs to incorporate cycle parking, car clubs, and other low carbon transport modes.**

Utilities

11. The necessary utilities, including wastewater, water supply, electricity, and gas **fibre** network must be provided. The phasing and occupation of development should align with the delivery of sewerage **utilities** infrastructure, in liaison with service providers.

Delivery and Phasing

12. The site will be brought forward supported by **an illustrative** masterplan which addresses the policy requirements set out above and **provides the framework, alongside the broad triggers for the provision of infrastructure, for key phases to be identified and delivered throughout the development which specify the location of that** clearly identifies the phases of development, and the location and timing of the provision of all key infrastructure in accordance with the Infrastructure Delivery Plan within and beyond the plan period.

12a. Viability may be reviewed on a phase by phase basis using an agreed method to determine the infrastructure and affordable housing content of each phase.

13. For the avoidance of doubt, if this policy is silent on an aspect or issue, the relevant policy within this Local Plan must be used. **This policy requires submission of a Design Code(s) as part of the masterplan therefore Policy 2.1 of the Oadby and Wigston Local Plan does not apply to this allocation.**

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

Yes No

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

As joint land owners of the largest strategic site in the local plan (Policy SA02) – Urban&Civic and Homes England have detailed technical knowledge of the site and its capacity and wish to provide this to the examination to support the Inspector/s in their deliberations.

Both Urban&Civic and Homes England will be working Harborough District Council, Oadby and Wigston Borough Council and other statutory consultees to seek to agree Common Ground in advance of the examination.

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

Do you wish to be notified?

When the Plan is submitted for independent examination?

When the Inspector's Report is published?

When document is adopted?

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

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Paragraph 5.10

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Please specify the modifications needed to make the Local Plan sound/legally compliant
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5.10 The defined site boundary will be identified on each Council's Adopted Policies Map as SA02 in the District of Harborough and as AP5 in the Borough of Oadby and Wigston. The site is located within close proximity to Leicester City and is well placed to contribute towards provision of sustainable development and the site will provide for approximately 4,000 dwellings across the site, with **at least 3,150 3,000** new homes and ~~5 hectares of employment land~~ within Harborough District, and at least 850 homes in the Borough of Oadby and Wigston.

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

Yes No

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

As joint land owners of the largest strategic site in the local plan (Policy SA02) – Urban&Civic and Homes England have detailed technical knowledge of the site and its capacity and wish to provide this to the examination to support the Inspector/s in their deliberations.

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5.13 The new development will create a high-quality and sustainable extension to the existing urban area and Stretton Hall, but also, will maintain a visual and physical separation between the settlement of **and** Oadby. Separation will also be afforded to the existing village of Great Glen through the creation of a new Area of Separation in Harbough District, which will prevent coalescence and will protect individual character and identity of the settlement.

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

Yes No

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

As joint land owners of the largest strategic site in the local plan (Policy SA02) – Urban&Civic and Homes England have detailed technical knowledge of the site and its capacity and wish to provide this to the examination to support the Inspector/s in their deliberations.

Both Urban&Civic and Homes England will be working Harborough District Council, Oadby and Wigston Borough Council and other statutory consultees to seek to agree Common Ground in advance of the examination.

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Do you wish to be notified?

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Part B:

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Representation Form

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

E.g. Paragraph/Policy/Map/Other

Paragraph 5.17

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

Positively prepared Justified Effective Consistent with National Policy

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

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

Continue on next page

Please specify the modifications needed to make the Local Plan sound/legally compliant
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5.17 Addressing transport impacts is necessary to ~~manage increased traffic, ensure road safety, and~~ promote sustainable travel, **ensure road safety and manage cumulative residual impacts on the road network**. Safe vehicular access, regular bus services, and high-quality cycle and pedestrian routes are vital to reducing car dependency and encouraging healthier, more sustainable modes of transport **through a vision-led approach**.

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

Yes No

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

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

E.g. Paragraph/Policy/Map/Other

Paragraph 5.19

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

Positively prepared Justified Effective Consistent with National Policy

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5.19 Phased infrastructure provision is essential to avoid straining existing services. By delivering schools, healthcare, and a local centre in tandem with housing, the development can meet community needs from the outset. Sports pitches and recreational facilities promote physical activity and community cohesion, fostering a healthy living environment for future residents. This would offer a high-quality recreational area for both existing and new residents, while improving biodiversity and habitat value. All open space provision and open space standards for the site, regardless of location, must **be broadly consistent with** conform to ~~Harborough District~~ open space standards **although the Councils may agree bespoke approaches within the overall requirement where that results in a better outcome**. This is to ensure that the entire site, even areas of within the Borough of Oadby and Wigston, has a consistent approach to open space provision.

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

Yes No

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

As joint land owners of the largest strategic site in the local plan (Policy SA02) – Urban&Civic and Homes England have detailed technical knowledge of the site and its capacity and wish to provide this to the examination to support the Inspector/s in their deliberations.

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

E.g. Paragraph/Policy/Map/Other

Paragraph 5.23

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

Positively prepared Justified Effective Consistent with National Policy

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Continue on next page

Please specify the modifications needed to make the Local Plan sound/legally compliant
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5.23 This Policy and the Infrastructure Delivery Plan for this Site will ensure that phased essential infrastructure provision will avoid straining existing services in the locale as the new community grows to its full and complete maturity. By delivering necessary education, highways and transport, healthcare, open spaces, sports and leisure facilities, biodiversity and habitat creation, and, other much needed community infrastructure in tandem with housing and employment growth, means the development can meet the new demands from the outset and for generations to come. ***Given the length of the development the plan will need to be applied flexibly to ensure that the needs of communities and changes of approach by public authorities to provision are appropriately met. Where the site is meeting wider strategic needs contributions from other developments will be sought to contribute to the costs of that provision in line with Regulation 122 of the CIL Regulations (2010, as amended).***

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

Yes No

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

As joint land owners of the largest strategic site in the local plan (Policy SA02) – Urban&Civic and Homes England have detailed technical knowledge of the site and its capacity and wish to provide this to the examination to support the Inspector/s in their deliberations.

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

E.g. Paragraph/Policy/Map/Other

DS02

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

Positively prepared Justified Effective Consistent with National Policy

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Soundness

Not justified:

The Council's evidence base identifies an 'objectively assessed need' of 61 hectares of employment land with a further 16.4 hectares allocated to the three strategic sites, including SA02 (see Policy DS02). The detailed justification for and proposed uses to be incorporated into this land are not set out.

Whilst it is appropriate, consistent with National Policy to include employment uses as part of a large mixed use site, the use of a metric of hectares of 'employment' land is inappropriate.

We have suggested in relation to the site allocation policy alternative wording. This should also be incorporated into this policy.

Continue on next page

Evidence

Harborough Local Housing and Employment Land Evidence Report and Appendices (2025) & Strategic B8 Needs Sensitivity Report (2025).

Continue on a separate sheet/ expand box if necessary

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

Empty box for providing a brief summary.

Please specify the modifications needed to make the Local Plan sound/legally compliant
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Proposed specific track changes to policy

Change 2 a) to read:

Provision of **appropriate employment uses, services and a local centre providing jobs broadly equivalent to up to** 5 hectares of new general employment land within Harborough District on Site SA02.

Continue on a separate sheet/ expand box if necessary

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

Yes No

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E.g. Paragraph/Policy/Map/Other

DS05

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

Positively prepared Justified Effective Consistent with National Policy

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Legal compliance

Parts 2 and 5 are not consistent with Regulation 122 of the CIL Regulations (as amended) as it cannot be determined in advance whether the relevant tests are met. Policy needs to be amended to reflect the need for assessment at the time of application and for phased developments during implementation.

Soundness

Not justified, not effective:

Part 2 of the Policy requires the detailed site-specific mitigation schemes included within the site allocation Policies SA01, SA02, SA03 and SA04 are required and expected to be included within development proposals.

Continue on next page

As we note above in relation to site specific policy SA02, and acknowledged in Part 3 of this policy for large sites, infrastructure will be delivered over an extended period and will be subject to changes in demographics, technology and policy. For SA02 there will therefore need to be an Infrastructure Delivery Plan which is flexible enough to accommodate this. This should be reflected in the policy.

Part 5 of the Policy relates to Viability Review. It assumes that all infrastructure required in the policy will be required, in line with Part 2, and that variation will only be required in exceptional circumstances and then only on the basis of a viability assessment. In practice infrastructure requirements will inevitably vary for many reasons other than viability. The policy therefore needs to include a review process which is not viability dependent.

Policy SA02 requires an Infrastructure Delivery Plan for the site, and in our representations on that policy we are suggesting that this is aligned with a phased review and viability process to determine the content of each phase. We therefore suggest this policy is amended to reflect that.

Evidence

Infrastructure delivery Plan (2025) & Viability Study (2025).

A consolidated response has been prepared and attached as part of this pack. This response provides details of why we consider named policies to be unsound.

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

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

Proposed specific track changes to policy

2. The detailed site-specific mitigation schemes included within the site allocation Policies SA01, SA02, SA03 and SA04 are required and expected to be included within development proposals and site development costs. Development proposals should make provision for all the land required to accommodate any additional infrastructure arising from the development on site. Requirements will be reviewed on a Phased basis.

5. The policies within this Local Plan have been viability tested, and it is the expectation that policy compliant contributions will be made. A variation to the requirements set out in Policy within the Plan may be **triggered by changes in development phasing and need. For strategic sites this will be subject to agreed plans and review processes. Changes to provision based on viability** will only be accepted by the Council in exceptional circumstances. In such cases, a site-specific viability assessment may be accepted where viability is identified as a barrier to delivery. Where it is identified that the Policy requirements set out within this Local Plan cannot be met, this must be supported by evidence to be independently verified as part of an open book viability appraisal. The costs of this work will be borne by the applicant. The weight placed on this assessment will be determined on a case-by-case basis.

Continue on a separate sheet/ expand box if necessary

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

Yes No

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

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

E.g. Paragraph/Policy/Map/Other

HN01

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

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Soundness

Not justified, not effective

The Development Partners are strongly committed to delivering mixed and balanced communities and will be seeking to maximise affordable housing in any development proposals, whilst meeting the Councils' aspirations for Infrastructure Led development and placemaking. This will require a partnership approach with the Authorities.

Part 1 of the Policy requires 40% of homes in any development over 10 dwellings to be affordable. As we have noted above the Viability Assessment does not justify that level for site SA02. We have proposed a modification of that policy to set that target as 'up to' for that site. There should be a consequential amendment to part 1 of this policy to confirm it doesn't apply to site SA02.

Continue on next page

On part D we are proposing a bespoke Infrastructure and Housing Delivery phased review mechanism. For a site of the scale of SA02 a variation in the policy target cannot be considered in isolation from infrastructure delivery and phasing. Part E refers to a phased approach for sites over 500 homes, but again this is triggered solely by viability. We again would suggest that these parts should not apply to site SA02.

Evidence

Local Plan Viability Study

A consolidated response has been prepared and attached as part of this pack. This response provides details of why we consider named policies to be unsound.

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

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

Proposed specific track changes to policy

1. To meet the need for affordable housing 40% of the total number of homes in residential developments of 10 or more homes (or capable of delivering 10 or more homes), **unless otherwise specified in a site specific policy**, must be affordable.
 - d) 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 of affordable housing will be considered. In these exceptional circumstances, a clear justification supported by an independent viability assessment will be required. The costs of subsequently reviewing this work on behalf of the Council will be borne by the applicant. **Bespoke mechanisms for strategic allocations, linked to site specific policies and DS05 (Infrastructure) may be agreed.**
 - e) For schemes of 500 or more houses, where a non policy compliant scale of affordable housing is accepted as a result of viability issues, **or as part of a wider bespoke mechanism for an allocated site**, in accordance with **d)** above, viability will be reassessed at agreed times over the lifetime of a development based on actual costs and values generated by the development. The cost of the Council reviewing this will be borne by the applicant.

Continue on a separate sheet/ expand box if necessary

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

Yes No

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

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E.g. Paragraph/Policy/Map/Other

HN04

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

Positively prepared Justified Effective Consistent with National Policy

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Soundness

Not justified:

Requirement for 10% specialist housing for all residential development of over 100 dwellings is not justified or effective for strategic sites

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Please specify the modifications needed to make the Local Plan sound/legally compliant
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Proposed specific track changes to policy

Specialist housing for older people will be required as an integral part of all residential development of 100 dwellings **to 500 dwellings** 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. **Strategic site allocations should define the proportion within their housing strategy, which will be subject to ongoing monitoring and review.**

Continue on a separate sheet/ expand box if necessary

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

Yes No

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

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E.g. Paragraph/Policy/Map/Other

HN05

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

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Soundness

Not justified, not effective

Requirement for 10% self or custom build homes on a site of the scale of SA02 is not evidenced and may not be deliverable.

A consolidated response has been prepared and attached as part of this pack. This response provides details of why we consider named policies to be unsound.

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

Proposed specific track changes to policy

1. To contribute to meeting demand for self and custom build plots, all nonspecialist development of 40 dwellings (gross) or more must provide at least 10% of the total number of dwellings as self or custom build plots. **Strategic site allocations should define the proportion within their housing strategy, which will be subject to ongoing monitoring and review.**

Continue on a separate sheet/ expand box if necessary

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

Yes No

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

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

E.g. Paragraph/Policy/Map/Other

HN06

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

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Soundness

Not justified. See our response to policy SA02.

The Gypsy & Traveller and Travelling Showpeople site assessment (Final Report November 2024) recommends a policy approach which suggests requirements of 'up to' 5 hectares on strategic sites, with an option for off site provision in defined circumstances. The policy should reflect the advice of the consultants, either as part of the site specific policy or Policy HN06.

Evidence

The Gypsy & Traveller and Travelling Showpeople site assessment (Final Report November 2024).

Continue on next page

A consolidated response has been prepared and attached as part of this pack. This response provides details of why we consider named policies to be unsound.

Continue on a separate sheet/ expand box if necessary

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

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

Proposed specific track changes to policy

For strategic allocations provision of a site or sites of up to 5 hectares of land on the site or in the broad area to meet the needs of travelling show people within Harborough District. Off site provision will only be accepted where:

a) the alternative site provides for at least the same quantity of provision as required by the relevant allocation policy;

b) the alternative site is considered as sustainable with regards to access to the road network and services when compared with the site allocation for which it is a substitute;

c) the site can be developed within the same timeframe (or faster);

d) the site would meet the needs of the Showpeople it is intended to accommodate; and,

e) the site will not have an unacceptable adverse impact on existing neighbouring residential amenity, including noise from any commercial activities.

Continue on a separate sheet/ expand box if necessary

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

Yes No

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

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E.g. Paragraph/Policy/Map/Other

DM04

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

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Soundness

Not effective.

Part (d) includes reference to restoring or 'equivalent mitigation' for damaged features.

The policy and supporting text do not set out how 'equivalence' should be assessed, and this would make the policy subjective and difficult to implement.

A consolidated response has been prepared and attached as part of this pack. This response provides details of why we consider named policies to be unsound.

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

Proposed specific track changes to policy

d) restores or provides equivalent mitigation **or landscape improvements** for damaged features and/or landscapes that would be damaged or degraded as a result of the development.

Continue on a separate sheet/expand box if necessary

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

Yes No

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

As joint land owners of the largest strategic site in the local plan (Policy SA02) – Urban&Civic and Homes England have detailed technical knowledge of the site and its capacity and wish to provide this to the examination to support the Inspector/s in their deliberations.

Both Urban&Civic and Homes England will be working Harborough District Council, Oadby and Wigston Borough Council and other statutory consultees to seek to agree Common Ground in advance of the examination.

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

Do you wish to be notified?

When the Plan is submitted for independent examination?

When the Inspector's Report is published?

When document is adopted?

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

Part B:

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

Representation Form

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

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

E.g. Paragraph/Policy/Map/Other

DM06

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

Positively prepared Justified Effective Consistent with National Policy

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

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

Soundness

Priority should follow the travel hierarchy, as set out in wider transport and planning policy, where pedestrians and cyclists are prioritised. Therefore, active travel should be mentioned first before public transport. The priority is written correctly in the supporting text but this is not reflected in the policy text.

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

Proposed specific track changes to policy

1. Development will be permitted, subject to:
a) ensuring the safe, connected and convenient movement across the transport network, including pedestrians, cyclists, public transport passengers and horse riders.

(note re-ordering)

Continue on a separate sheet/ expand box if necessary

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

Yes No

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

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E.g. Paragraph/Policy/Map/Other

DM09

Do you consider the Local Plan to be legally compliant?

Yes No

Do you consider the Local Plan is sound?

Yes No

Does it comply with the Duty to Cooperate?

Yes No

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

Positively prepared Justified Effective Consistent with National Policy

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

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Soundness

Effective

A 3 star rating under BRE Home Quality Mark scheme is one of several sustainable construction standards. We therefore suggest an adjustment in wording to be inclusive of alternative sustainability accreditations/routes to provide a more flexible approach as HQM is not widely adopted and may not be preferred for all development. In addition, HQM is transitioning into BREEAM UK New Construction: Residential (from April 2025).

A consolidated response has been prepared and attached as part of this pack. This response provides details of why we consider named policies to be unsound.

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

Proposed specific track changes to policy

2. All new-build residential developments must achieve **appropriate accreditation, for example** a three star rating under the BRE Home Quality Mark scheme **or equivalent**. A whole life-cycle assessment should be undertaken as part of this assessment for major development.

Continue on a separate sheet/ expand box if necessary

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

Yes No

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

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