

**Harborough Local Plan Examination**

# **Examination Hearing Statement on Behalf of Barratt Redrow Matter 1: Procedural and Legal Requirements**

15 October 2026

PREPARED FOR:



Barratt Redrow

**savills**

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## Document History

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# 1. Introduction

- 1.1 This examination hearing statement has been prepared by Savills on behalf of Barratt Redrow.
- 1.2 Barratt Redrow is the UK's largest housebuilder. Their purpose is to make sustainable living a reality and build strong communities. This is vital for the country's future to address the ongoing under-supply of new housing.
- 1.3 Barratt Redrow is a 5\* (the highest) rated housebuilder. For 16 consecutive years over 90% of customers have said they would recommend them to family and friends in the HBF's customer satisfaction survey.
- 1.4 Barratt Redrow has three differentiated brands of Barratt Homes, David Wilson Homes and Redrow with offices in the East and West Midlands, including David Wilson Homes East Midlands based at Bardon Hill, Leicestershire and various land interest in Leicestershire.
- 1.5 In May 2025, a response was provided to Harborough District Council ("the Council") on behalf of Barratt Redrow to the Proposed Submission Draft Harborough Local Plan 2020-2041 Consultation Draft, Regulation 19.
- 1.6 Savills acting for Barratt Redrow participated in the stage 1 examination hearing in respect of the over-arching question of: "Does the Plan meet the requirements of NPPF 2024 paragraph 234(a)?"
- 1.7 In Panel Note 7, the Inspectors ("the Panel") confirmed that it had neither read nor heard anything that would give reason to depart from the national policy position set out in paragraph 234a. Therefore, the Panel's position was unchanged from that set out in paragraph 4 of its Panel Note 2. That is that the Local Plan should be examined against the version of the National Planning Policy Framework published in 2023, i.e. the relevant previous version of the NPPF.
- 1.8 This examination hearing statement has been prepared in response to the Stage 2 Matters, Issues and Questions ("MIQs"), set out under Panel Note 8 from the Panel.
- 1.9 We continue to consider that the Local Plan as submitted is not sound as per the tests under the National Planning Policy Framework. This examination hearing statement builds upon our submission at the Regulation 19 consultation stage and our participation in the stage 1 examination hearing.
- 1.10 In this examination hearing statement, we have just reproduced the issues headings under the MIQs and our responses on behalf of Barratt Redrow are stated in unbold text.

## 2. Stage 2 Matters, Issues and Questions

### **Matter 1: procedural and legal requirements**

**Whether the Plan has met all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations?**

#### **Issue 1: Sustainability Appraisal**

- 2.1 We have no comments to make in response to the questions.

#### **Issue 2: Habitats Regulations Assessment (HRA)**

- 2.2 We have no comments to make in response to the questions.

#### **Issue 3: Strategic Cross-Boundary Engagement**

- 2.3 Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 sets out that each local planning authority must identify their strategic priorities and have policies to address these in their development plan documents (taken as a whole).
- 2.4 Strategic policy-making authorities are required to cooperate with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters. This includes those policies contained in local plans (including minerals and waste plans), spatial development strategies, and marine plans.
- 2.5 We note that there is no longer a statutory requirement for co-operation. The Duty to Co-operate was inserted into the Planning and Compulsory Purchase Act 2004, through the Localism Act 2011, to help bridge the gap in co-operation resulting from the abolition of regional planning.
- 2.6 The new plan-making system provided by the Levelling Up and Regeneration Act 2023 does not include the Duty. Instead, the new system will rely on revised national policy and the new tier of strategic planning to ensure effective co-operation between plan-making authorities. The Regulations for the new system will also 'save' the current plan-making system for a period to allow emerging plans to progress to examination by 31 December 2026. Government decided not to 'save' the Duty, thereby removing this requirement for plans in the current system.
- 2.7 The duty to cooperate was introduced by the Localism Act 2011, set out in section 33A of the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities and county councils in England, and prescribed public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan and marine plan preparation in the context of strategic cross boundary matters.
- 2.8 Paragraphs 24 to 27 in the NPPF 2023 explain about maintaining effective cooperation.
- 2.9 We note there is a history of cooperation across the Leicestershire authorities and that statements of common ground have been entered into and submitted to the examination.

- 2.10 We would welcome sight of the most up to date position in respect of transport matters, following publication of the South Leicestershire Joint Transport Evidence Costing Mitigation Updated Report (July 2026), in the Examination Library.

**Issue 4: Superseded Policies**

- 2.11 The Regulation 8(5) of the 2012 Regulations states: “Where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy.”
- 2.12 Appendix 1 in the Local Plan is a list of policies replaced by this Local Plan. More specifically these are policies contained within the Harborough Local Plan (2019).
- 2.13 We consider the list at Appendix 1 complies with the requirement under Regulation 8(5). However, it would be helpful for the reader of the Local Plan to know from this list what new policies replace the policies from the old Local Plan.

**Issue 5: Plan Period**

- 2.14 Paragraph 22 of NPPF 2023 states that strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Footnote 13 states except in relation to town centre development, as set out in chapter 7.
- 2.15 Paragraph 22 also states that where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery. Footnote 14 states there are transitional arrangements set out in Annex 1.
- 2.16 It remains to be seen as to whether the Local Plan is capable of being adopted in Q2 2027. This could be in the year 2027/28, if this is beyond 31 March 2027.
- 2.17 Policy DS01 Development Strategy: Delivering Homes in the Local Plan, proposes a housing requirement between the year 2020 and 2036 and between 2036 and 2041.
- 2.18 Policy DS01 is a Strategic Policy but upon adoption (potentially) in 2027/28, it will have only 14 years at most. This does not meet the minimum 15 year period, however we acknowledge that the NPPF does not absolutely require 15 years as a minimum and it is open to interpretation as to whether the lower plan period would result in a failure to be consistent with national policy, being one of the tests of soundness.
- 2.19 We consider the plan period consideration is relevant in respect of the soundness tests of whether this period of time would deliver a plan that is positively prepared and is justified. We consider that neither tests are passed by this Local Plan in respect of Policy DS01 as a result of the lower than minimum plan period.

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