

Written Statement

On behalf of Davidsons Developments Limited & Jelson
Homes

Harborough Local Plan to 2041 - Examination

Matter 1: Procedural and Legal Requirements

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1. ISSUE 1 – SUSTAINABILITY APPRAISAL

Q1. Does the SA adequately assess whether the Plan's objectives are fully compatible with and actively contribute towards each of the sustainability objectives set out within the Sustainability Framework? Are the conclusions robust and justified by the evidence?

- 1.1. The Harborough Local Plan: Proposed Submission Draft Local Plan Sustainability Appraisal by LUC (S-NLP 3) ("the SA") does not appear to contain a discrete appraisal of the Plan's objectives, which are set out in Chapter 3 of the Plan. This is to be expected given that the objectives are expressed at a high level and are thematic in nature.
- 1.2. That said, the Plan's objectives (delivering homes, creating jobs, tackling climate change, retaining heritage and rural character, and enabling infrastructure) are broadly reflected within the SA Framework and sustainability objectives set out from paragraph 3.82 onwards of the SA, which provide the basis against which the Plan's strategy, policies and reasonable alternatives have been assessed.
- 1.3. The Plan's objectives therefore operate principally as an overarching statement of intent, with the Plan's content assessed through the lens of the SA Framework, which have a high correlation with the Plan objectives.
- 1.4. We do not consider this to represent any deficiency in the SA process. The objectives in Chapter 3 of the Plan are deliberately broad and aspirational, providing the overarching context for the Plan rather than specific policy choices capable of meaningful comparison or assessment.
- 1.5. The SA appropriately captures these themes through its own sustainability framework and objectives, which have been developed through a rigorous appraisal of baseline conditions, plans and programmes, before applying that framework to the assessment of the Plan's strategy, policies and reasonable alternatives.

Q2. How has the SA informed the development of the Plan, including housing and economic needs, delivery and any mitigation measures? How has it informed the selection of strategic options, the development of policies and the selection of sites, all of which aim to identify sustainable development outcomes for the District?

Housing Need:

- 1.6. The SA tested housing growth options with reference to the Leicester and Leicestershire Housing and Economic Needs Assessment (2022) and the associated Statement of Common Ground ("SoCG").
- 1.7. At the time the Plan was being prepared, this represented the most up to date assessment of housing need for Harborough District and the wider sub-region. This resulted in a housing requirement comprising Harborough's own Local Housing Need ("LHN"), calculated using the pre-2024 Standard Method, together with an agreed contribution of 123 dwellings per annum towards Leicester's unmet housing need.
- 1.8. On that basis, the SA tested three growth options. Option A reflected Harborough's own LHN only. Option B reflected Harborough's LHN plus the agreed Leicester contribution of 123 dwellings per annum. Option C was presented as a "high growth" scenario and was based on Harborough's LHN plus 246 dwellings per annum.

- 1.9. We agree that Option A can be discounted. A strategy that made no contribution whatsoever towards Leicester's unmet housing needs would plainly be inconsistent with national policy at the time and, in our view, does not represent a reasonable alternative.
- 1.10. However, we have concerns regarding the treatment of Option C. Whilst the SA concludes that Option B (the preferred option) performs more favourably against the sustainability objectives, there is no clear rationale underpinning the 246 dwellings per annum figure. It simply appears to be double the agreed Leicester contribution of 123 dwellings per annum. In this respect, Option C functions less as an evidenced growth scenario and more as an arbitrary "high growth" sensitivity test.
- 1.11. The deficiency in this approach is that it fails to test what appears to be the more natural alternative to Option B. The Statement of Common Ground contribution of 123 dwellings per annum only extended to 2036, whereas the Local Plan runs to 2041. The SA does not appear to consider the plainly reasonable scenario whereby Harborough continued to accommodate Leicester's unmet housing throughout the whole plan period. Instead, it skips to a figure that has no clear basis.
- 1.12. We recognise why Option B was ultimately preferred as a better performing alternative, but we do not consider that the assessment of reasonable alternatives was adequate insofar as housing needs are concerned. The SA should be amended to consider a more evidenced higher growth scenario.

Strategic Options:

- 1.13. In relation to the distribution of housing, the SA explains that the initial six broad growth and distribution options identified at Issues and Options Stage were subsequently refined into three alternative spatial strategies following the Issues and Options consultation. This demonstrates that the local planning authority has remained genuinely open to the consideration of reasonable alternatives throughout the plan-making process and that the preferred strategy has evolved through an iterative assessment process where spatial options have been refined from numerous and high-level growth scenarios to more sophisticated and refined growth scenarios based on ongoing-testing against the SA Framework.
- 1.14. The SA identifies that of the six initial options considered, those which performed best against the sustainability objectives were those that focused upon strategic sites, the Leicester Urban Area and the Market Towns. These findings informed the preparation of the three refined options, which effectively tested Leicester Urban Area-focused strategy, a Market Town-focused strategy and a hybrid approach between the two.
- 1.15. The SA concludes that Refined Option 3, the hybrid option, performs best overall. Importantly, it is identified as providing a more balanced distribution of growth across the District's most sustainable settlements, avoiding an overly concentrated "eggs in one basket" approach to growth whilst continuing to perform strongly against the sustainability objectives. The Sustainability Appraisal further concludes that Refined Option 3 performs slightly better than the alternative refined options and represents the most deliverable approach over the plan period. This has directly informed the Plan's approach to the distribution of growth, has focused on balancing strategic-scale growth between the Leicester Urban Area and the Market Towns.

- 1.16. The Sustainability Appraisal demonstrates the benefits of distributing growth across the District's most sustainable locations and avoiding an overly concentrated spatial strategy. In that regard, if additional housing needs are subsequently identified, priority should be given to opportunities within the District's most sustainable locations, where development can be delivered within existing communities and with access to services and facilities, such as the Large Villages. This would provide greater flexibility, improve delivery prospects and assist in maintaining a diversified supply of sites, rather than placing further reliance on strategic growth locations.

Site Selection

- 1.17. The SA states that a total of 290 residential site options and 54 mixed use site options were appraised. These sites were then appraised in relation to each SA objective using site-specific assessment criteria developed in relation to each. The findings were provided to the Council before decisions on allocations were made and therefore have informed which options to take forward.

Q3. What is the robust justification for the selection of the medium level of growth scenario against which the refined housing distribution options were tested? Should they have been tested against all three growth scenarios?

- 1.18. Whilst the SA provides no explicit justification, within Chapter 5, for only assessing the refined housing distribution options against the medium growth scenario, the reason can be inferred from the wider document.
- 1.19. The SA explains that the refined options were developed following appraisal of the six strategic distribution options against the low, medium and high growth scenarios and that the low and high growth options had already been discounted before the refined options stage. In that context, the Council appears to have regarded the medium growth scenario as the only reasonable alternative warranting further assessment.
- 1.20. There is some justification for not reassessing the refined options against all three growth scenarios. However, as set out in response to Question 2, we have reservations regarding the extent to which the low and high growth scenarios represented genuine alternatives in the first place. The low growth option was effectively ruled out by the requirement to accommodate a proportion of Leicester's unmet housing need, whilst the high growth option has not been conceptualised on the basis of robust evidence.
- 1.21. The more pertinent question is not whether the refined options should have been retested against the low and high growth scenarios, but whether the Council identified and assessed a sufficiently broad range of realistic growth alternatives at the outset. Had a more credible evidence-based alternative growth scenario been identified, it would have been appropriate for that option to be tested against the refined housing distribution options before the preferred strategy was selected.

Q4. What is the robust evidence to justify the economic growth and spatial distribution options?

- 1.22. No comment.

Q5. Are the scoring and conclusions reached in the SA reasonable, sufficiently accurate and robust to inform the Plan?

- 1.23. The scoring and conclusions reached in the SA are, in our view, generally reasonable and sufficiently robust to inform the preparation of the Plan. The SA applies a consistent methodology, identifies the likely sustainability effects of the strategic options, refined options and site allocations, and transparently explains the basis for the conclusions reached. The SA also expressly acknowledges the inherent uncertainty associated with strategic-level assessment and recognises that detailed effects often depend on the precise location, scale and design of future development.
- 1.24. In terms of options for the distribution of housing growth, we consider there is a high correlation between the reasoned conclusions of the SA and the content of the Plan. This has resulted in a sustainable pattern of growth overall, focused on the Leicester Urban Area and Market Harborough, together with, to a lesser extent, the Large Villages.
- 1.25. We consider that the right balance has been struck between locating growth in the most sustainable locations and providing a sufficient range and distribution of sites to ensure that the spatial strategy is deliverable. In short, we do not consider that the SA, in its conclusions, points towards a materially different strategy from that pursued within the Plan.
- 1.26. However, as set out above and in our statements on other matters, we remain of the view that the Plan does not make sufficient provision for housing. If the Inspectors agree with that broader concern, then it would, in our view, be entirely appropriate for the SA to consider the implications of a higher growth option associated with addressing those needs, including any remaining unmet need arising from Leicester between 2036 and 2041.

Q6. Does the SA provide a clear and justified audit trail of the Plan's strategic choices?

- 1.27. In terms of the overall distribution of housing growth, the SA is clear about how the Plan arrived at its chosen strategy. In relation to the overall amount of housing growth, however, we do not consider that the higher growth option was sufficiently refined or explained. Therefore, we anticipate that further SA work will need to be undertaken in respect of the Plan's housing requirement.

2. ISSUE 3 - STRATEGIC CROSS-BOUNDARY ENGAGEMENT

Q.1 The Council provides its Duty to Cooperate (Effective Cooperation) Statement of Compliance [SNLP9] and all signed Statements of Common Ground [SCG- NLP1-26 and HDC 4B, C, D, 9 and 15]. It considers together those demonstrate that the Council has collaborated effectively and constructively with neighbouring authorities and prescribed bodies on strategic cross-boundary matters throughout the Plan's preparation. Does this provide the necessary clear evidence of effective and ongoing joint working, in relation to matters including housing, transport, education provision and warehousing?

- 2.1. The statutory Duty to Cooperate has now been revoked. Effective cooperation, however, remains an important soundness consideration. Paragraph 11(b) of the NPPF requires strategic policies, as a minimum, to provide for objectively assessed development needs **and any needs which cannot be met within neighbouring areas**, unless the NPPF itself provides a strong reason for doing otherwise or the adverse impacts would significantly outweigh the benefits.
- 2.2. Within the Effective Cooperation Statement of Compliance (SNLP9), the Council does not contend that national policy constraints prevent additional housing growth, nor that the adverse impacts of accommodating a proportion of Leicester's unmet needs would outweigh the benefits. The position adopted by the Council is that no agreed evidence exists regarding the scale and distribution of Leicester's unmet need beyond 2036.
- 2.3. However, subsequent Housing Market Area evidence has sought to address that issue. The Updated Housing Distribution Paper by Icení (November 2025) (HSG-NLP 3) quantifies unmet housing needs arising from Leicester City beyond 2036 and identifies a contribution of 112 dwellings per annum from Harborough District between 2036 and 2046.
- 2.4. We recognise that this work is based upon the revised 2024 Standard Method and that the emerging Harborough Local Plan is progressing under transitional arrangements. Nevertheless, the purpose of the exercise is not to establish Harborough's own housing need but rather to quantify and distribute unmet needs arising from Leicester City, which is subject to the 2024 Standard Method. In light of the work which has already been undertaken on quantifying Leicester's unmet need beyond 2036, we see no reason why the Plan could not take account of this over the appropriate time horizon.
- 2.5. We note several other areas of disagreement, namely in respect of Green Wedge, and Leicester City Council's particular concerns regarding the loss of some Green Wedge as part of the Scraftoft East (Policy SA04). Paragraph 24 of the NPPF requires local planning authorities cooperate with each other "on strategic matters that cross administrative boundaries." Paragraph 26 cites infrastructure and development needs as examples of such strategic matters.
- 2.6. We do not consider the loss of Green Wedge or the effectiveness of the retained Green Wedge at Scraftoft East to be a "cross boundary strategic matter" of relevance to both Leicester City Council and Harborough District Council and therefore is not a matter upon which evidence of effective cooperation should be required. The extent of the lost and the retained Green Wedge as a result of Scraftoft East is wholly within Harborough District's administrative boundary. It does not abut Leicester City Council's administrative

boundary nor is it congruent with any retained Green Wedge within the City Council's administrative boundary.

Q.2 What is the up-to-date position in respect of transport matters?

- 2.7. This is for the local planning authority to comment upon, but we reserve the right to make further representations in the relevant hearing session.

3. ISSUE 5 - PLAN PERIOD

Q.1 NPPF paragraph 22 sets out the requirement for strategic policies (other than those in relation to town centre development) to look ahead over a minimum of 15 years from adoption. The Plan period runs from 2020-2041. If adopted in Q2 2027 it would not meet that requirement. In doing so would this be a sound approach?

- 3.1. It is not a sound approach as it would not meet the requirements of national policy. However, we are aware of numerous examples where Planning Inspectors have permitted shorter plan periods, such as in the case of the recently adopted Charnwood Local Plan in Leicestershire, which only looked 12 years ahead from adoption.
- 3.2. In the case of Charnwood, the Inspectors gave weight to the fact that its plan would provide a plan-led approach to development needs help to to address the wider need for housing and employment across the HMA. Clearly, notwithstanding the fact it would not meet Leicester's full unmet need over the plan period, the same is also true for Harborough's Plan.
- 3.3. That said, the Charnwood Inspector's comments were made in the context of an already long-running examination. Depending on the Panel's findings on other strategic matters which may require the allocation of additional sites within the Plan, this may also provide an opportunity to extend the Plan period to ensure that it covers the required time horizon from adoption.