

Harborough Local Plan review

Examination in Public

Hearing Statement for Matter 1 – Procedural and Legal Requirements

On behalf of Ashfield Land (Harborough) Limited

Representor Ref: ID7425

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1. Introduction

- 1.1. Pegasus Group is instructed by Ashfield Land (Harborough) Limited to respond to the Harborough Council Local Plan Examination 'Panel Note 8: Stage 2 Matters, Issues and Questions (MIQs)' dated 21 September 2026, which has been produced by the Inspectors appointed to hold an independent examination of the Harborough Local Plan ('the Plan') (March 2025).
- 1.2. This Statement relates to Examination in Public Matter 1 – Procedural and Legal Requirements.
- 1.3. Ashfield Land (Harborough) has a specific land interest east of the A5 (referred to as A5 East or A5 East Logistics Park) totalling 16.52 hectares. The Site, which is identified on the Site Location Plan at Appendix 1 straddles the boundary between Harborough District and Rugby Borough, with the majority falling within Harborough District.
- 1.4. The Site has the capacity to deliver around 60,000sqm of Use Class B8 employment floorspace along with a roundabout access off the A5 and other benefits. It is subject to a current outline application, submitted to both Harborough District Council (ref: 25/O1543/OUT) and Rugby Borough Council (ref: R25/O936) for

'Outline planning permission (all matters reserved except for access) for up to 60,000sqm of employment floorspace within Use Class B8, a new roundabout site access off the A5, amended site access from Gibbet Lane, plus landscaping, sustainable drainage, earthworks and all other associated works and infrastructure'
- 1.5. A Site Layout Plan (ref: 23504-UMC-ZZZZ-SI-DR-A-0612) and a Parameters Plan (ref: 23504-UMC-ZZZZ-SI-DR-A-0510) are included at Appendix 2 showing how the Site can accommodate the development proposed. Representations have been made to all stages of the Harborough Local Plan in respect of the proposed development at the Site.
- 1.6. Representations have also been made to the emerging Rugby Borough Local Plan at the appropriate times.
- 1.7. This Statement provides comments that respond to the Matters Issues and Questions posed by the Inspectors in respect of Matter 1 – Legal and Procedural Requirements with reference to whether the Plan, as submitted is sound when tested against the 'tests of



soundness' set out at Paragraph 35 of the National Planning Policy Framework (December 2023 against which the Plan is being examined).



2. Matter 1: Procedural and Legal Requirements

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 in the Sustainability Framework? Are the conclusions robust and justified by the evidence?

Q2: How has the SA informed the development of the Plan, including housing and economic needs, delivery and any mitigation measures?

- 2.1. Section 19 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to carry out a sustainability appraisal of each of the proposals in a plan during its preparation. More generally, Section 39 of the Act requires the authority preparing a plan to do so with the objective of contributing to the achievement of sustainable development.
- 2.2. NPPF paragraph 33 identifies that local plans should be informed throughout their preparation by an SA which meets the relevant legal requirements, and which should demonstrate how the Plan has addressed relevant economic, social, and environmental objectives. The purpose of the SA is to assess the sustainable development implications of the proposals presented in the Proposed Submission Draft Local Plan, where the SA outputs should have informed the Council's Vision, Objectives, Spatial Strategy and policies.
- 2.3. Concerns are raised about the validity of the SA submitted with the Plan (Doc S-NLP3) which is dated February 2025 and does not take account of more up to date evidence that the Council have now submitted to the Examination.
- 2.4. Firstly, the SA in Chapter 2 sets out the Strategic and Growth Options that have comprised the 'reasonable alternatives' assessed by the SA.
- 2.5. This specifically refers to the Leicester and Leicestershire Housing and Economic Needs Assessment (June 2022) and the Leicester and Leicestershire HENA Employment Distribution Paper (June 2022) being used for the identification of employment land requirements. Those documents are out of date and certainly do not reflect the latest position on strategic employment land requirements across the Leicester and Leicestershire area. This is evidenced by the updated documents EMP-NLP 5: Harborough Local Housing and Employment Land Evidence (February 2025) and EMP-NLP 6: Leicester and Leicestershire Strategy Distribution Floorspace Needs Update and Apportionment. In



particular, the strategic B8 needs for employment land in Harborough have been impacted by a number of matters which have resulted in the need to identify significant additional land for strategic B8 floorspace, which is not reflected in the SA.

- 2.6. Further, within the SA itself it is note that 'medium' and 'higher' growth options for employment land have been assessed. Yet what those levels of growth are is not identified so the quantum of development on which the SA has considered impacts is not transparent.
- 2.7. There are also three spatial options considered in the SA for the location of employment development, identified in Chapter 2 of the SA. However, none of those options include new locations that would meet locational requirements and aspirations. With particular reference to strategic B8 uses, the Council's own evidence base (Doc EMP-NLP 6) sets out locational requirements and identifies optimum locations for such development, particularly following the refusal of the Hinckley National Rail Freight Interchange¹. No such locations were considered as an option in the SA yet the evidence base suggests that such locations will be required.
- 2.8. The SA has therefore not fulfilled its legal requirements to justify the Plan Strategy. In neither referring to the latest evidence base, nor testing all alternative locational options nor referring to the quantum of development that have actually been considered it cannot be considered to have proposed a sustainable strategy with regard to employment land.

Site Specific Matters

- 2.9. The SA has appraised the Ashfield Land's interests south of Gibbet Lane, as well as the proposed allocations of land for strategic B8 employment development at Magna Park and the proposed allocation of land south of George House, Coventry Road.
- 2.10. Ashfield Land's land interests perform better than the proposed George House allocation with reference to Objective SA6 regarding safeguarding and improving health, safety and wellbeing, and comparatively for all other objectives. Yet it was not considered a more suitable option.

¹ NB Additional detail on required quantum of strategic employment floorspace is set out in detail in the Matters Statements submitted for Matters 3 and 4 in particular



- 2.11. Further, it is considered that the assessment of the land south of Gibbet Lane in respect of SA Objectives 12 and 14 should be reconsidered. The application in front of the Council is accompanied by detailed drainage work to ensure the development will not increase the risk of flooding elsewhere, and detailed advice has been provided on landscape such that the development can be adequately assimilated into the landscape with no long-term significant adverse effects.
- 2.12. As such the impact for both SA Objectives 12 and 14 should be neutral and minor adverse or neutral respectively. Similarly, with a requirement to deliver 10% BNG, Objective SA2 should be considered neutral, or even minor positive. Further, the proposed development will have no impact on any heritage assets and therefore the impact should be neutral.
- 2.13. Taking those matters into account it will actually perform better than the two proposed strategic B8 allocations, Table 1 provides a visual comparison.
- 2.14. In order to fulfil the relevant legal requirements, the SA must be reviewed and updated using up to date information, which is in front of the Examination, or the Plan cannot be found sound. In addition, all SA Objectives and site reviews should not result in ambiguity over potential effects but take into account site specifics for each, which are available for Ashfield Land's interests at A5 East, and provide a view on the potential impact on the relevant objective.



Site ID	Nearest Settlement	Area	Site Name	SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA10	SA11	SA12	SA13	SA14
21/8074	Shawell	South West (Grid 8)	Land south of Gibbet Lane	0	-	-	0	0	++	0	-	0	++	0	-/0	+	-/0
24/0595	Lutterworth	South West (Grid 6)	Land south of George House, Coventry Road, Land to the south of the A4303	0	-?	--/0?	-?	0	+	0	-	0	++	0	--/0	+	--?
24/12227	Lutterworth	South West (Grid 8)	Lant at Mere Lane, Magna Park	0	-?	00?/-?	-?	0	++	0	0	0	++	0	--/0	+	--?

Table 1: SA Assessment with updated information on land at A5 East



Appendix 1

Site Location Plan

General Notes

- This document is to be used for the stated purpose only and should not be used for any other.
- Dimensions are all in millimetres, unless stated otherwise.
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- All relevant drawings and specifications should be read in conjunction with this document.
- Scaling of this document is not recommended.

North



Document Scale(s)

50m SCALE 1:2500



Project Name

Gibbet Lane, Shawell

Employer		Project Address	
Ashfield Land		Gibbet Lane Shawell	
RIBA Workstage		Suitability	
1 - Preparation and Brief		S2 - Information	
Drawn	Checked	Created	Size
JJM	JJM	16/06/2025	A1
UMC Project Reference		Scale	LOD LOI
23504		1:2500	1 1

Document Title

Site Location Plan

Document Reference

23504 - UMC - ZZZZ - SI - DR - A - 0511

Revision Note

Redline boundary updated

Issue Date Status Current Revision

25.07.2025

P04



Appendix 2

Site Layout and Parameters Plan



General Notes

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Document Scale(s)

10m SCALE 1:2000

Schedule of Accommodation

Total GIA	-	625,791 ft ²	(58,137 m ²)
Site Area	-	41.81 acres	16.92 ha
Site Density GIA	-		34.36%

Unit 100			
Warehouse Area	-	197,635 ft ²	(18,361 m ²)
Office Area (incl. GF core)	-	10,401 ft ²	(966 m ²)
Transport Office	-	2,500 ft ²	(232 m ²)
Gatehouse	-	300 ft ²	(28 m ²)
Unit 100 GIA	-	210,836 ft ²	(19,587 m ²)

Unit 200			
Warehouse Area	-	148,906 ft ²	(13,834 m ²)
Office Area (incl. GF core)	-	7,837 ft ²	(728 m ²)
Gatehouse	-	300 ft ²	(28 m ²)
Unit 200 GIA	-	157,043 ft ²	(14,590 m ²)

Unit 300			
Warehouse Area	-	242,357 ft ²	(22,516 m ²)
Office Area (incl. GF core)	-	12,755 ft ²	(1,185 m ²)
Transport Office	-	2,500 ft ²	(232 m ²)
Gatehouse	-	300 ft ²	(28 m ²)
Unit 300 GIA	-	257,912 ft ²	(23,961 m ²)

Project Name

Gibbet Lane, Shawell

Employer	Project Address
Ashfield Land	Gibbet Lane Shawell

RIBA Workstage	Suitability
1 - Preparation and Brief	S2 - Information

Drawn	Checked	Created	Size
JJM	JJM	06/05/2025	A1

UMC Project Reference	Scale	LOD	LOI
23504	1:2000	1	1

Document Title

Site Layout - Gibbet Lane Option 2

Document Reference

23504 - UMC - ZZZZ - SI - DR - A - 0612

Revision Note

Annotation update and redline boundary updated

Issue Date Status Current Revision

26.07.2025

P06



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Document Scale(s)

10m SCALE 1:2000

- Key:
- Development Area (Use Class B8)
 - Landscaping zone
 - Estate road
 - Attenuation
 - Bus Terminal

Indicative boundary landscaping

Existing Woodland Retained

Proposed Highways Roundabout

Planning Site Area	16.92ha
Development Area	11.30ha
Number of Units	2 - 4
Maximum flexible industrial, storage and distribution floorspace - B8	60,000sqm
Finished Floor Level	124-126m AOD (+/- 1m)
Maximum Building Height	148m AOD (+/- 1m)

Project Name

Gibbet Lane, Shawell

Employer	Project Address
Ashfield Land	Gibbet Lane Shawell

RIBA Workstage Suitability

1 - Preparation and Brief S2 - Information

Drawn	Checked	Created	Size
JDS	JJM	19/05/2025	A1
UMC Project Reference	Scale	LOD	LOI
23504	1:2000	1	1

Document Title

Parameters Plan

Document Reference

23504 - UMC - ZZZZ - SI - DR - A - 0510

Revision Note

Updated to suit current layout

Issue Date Status Current Revision

19.05.2025

P04

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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