

Harborough Local Plan (“HLP”) (March 2025) – Examination¹
Inspectors’ Panel Note 8: Stage 2 Matters, Issues and Questions
MATTER 5: Hearing Statement on behalf of Richborough
15 October 2026

¹ Each Question relevant to matters Planning Prospects raised in submissions to the Regulation 19 consultation on behalf of Richborough is set out in bold with Planning Prospects’ summary response to each question then set out which we will expand upon when taking part in the scheduled hearing session. We have focussed here on the specific matters raised in Panel Note 8’s questions, without prejudice to the wider points around the soundness of the draft HLP’s policies and provisions as we have set out in more detail in our Regulation 19 representations as a whole, including the “Area of Separation Review”, which should also be referred to.

Matter 5: Climate and Environment

Whether the Plan is justified, effective and consistent with national policy in relation to Climate and Environment?

Policies DS03 and DS04

Issue 2: Heritage and Rural Character

Policy DS04 Development Strategy: Preserving and Enhancing our Heritage and Rural Character

1. –
2. –
3. **Is the provision, extent and amount of Area of Separation and Green Wedge designations referred to in Policy DS04 appropriate and consistent with national policy?**

No.

For reasons expressed elsewhere in representations to the emerging Plan and submissions to the Examination it is considered that insufficient provision is made in relation to identifying the need for development and allocations to meet that need. It is also the case that the latest changes to national policy as expressed in the NPPF and elsewhere will, rightly, apply upward pressure on development needs to be met over the Plan period. This reinforces the emphasis that should in any event be placed on ensuring that no more land is subject to additional controls than is strictly needed and properly justified.

The provision that now exists in the (2026) NPPF (Policy S2 paragraph 1.c.) states that, *“Designations and associated policies to safeguard gaps between settlements should be used only where they are necessary to maintain the separate identities of the settlements and their physical separation, should be no larger than needed to achieve this aim, and should not apply to land in the Green Belt”*. This does not feature in the 2023 version against which this Plan is currently being examined. Whilst consistency with national policy in this case does not, then, rely on these (2026 NPPF Policy S2) tests of necessity, these principles are nonetheless relevant considerations in assessing the soundness of this Plan.

It is notable also that this new NPPF policy refers to gaps between settlements, whereas the effect of the approach proposed in Harborough additionally includes the protection of land between settlement and employment. Again, this does not speak to consistency with national policy in the confines of the current Examination, but it is a relevant point that goes to the appropriateness of the HLP approach. In principle a connection between settlements and employment opportunities is a feature of sustainable development, and the separation between settlements raises different questions, yet the approach in Harborough effectively bundles these considerations together.

In Harborough, where development needs are significant yet understated in the emerging Plan, particularly careful attention must be paid to ensure that the controls imparted by such

policies are necessary. Careful attention must be paid to ensure that and the extent of such controls is no greater than required to achieve sound policy objectives.

The Plan refers (paragraph 7.4) to the support it provides in specific circumstances for development in areas adjoining settlements, to help meet housing and employment needs and provide an extra degree of flexibility in supply. The ability to achieve that to any degree is limited by Policy DS04. The justification for that limitation in relation to the Areas of Separation provisions of that policy includes (paragraph 4.47);

“...there are some settlements where the potential for merging with neighbouring settlements or employment areas is of concern. Areas of Separation have been defined where the potential for coalescence is at its highest...The reason for creating these Areas of Separation is to ensure towns and villages maintain their unique identity and that the overall landscape character of the area – countryside interspersed with distinct towns and villages – is maintained. The overall function of Areas of Separation is to ensure that development does not harmfully reduce the separation between settlements or between settlements and employment areas.”

The concern, then, relates to providing control where risk is highest, where identity and character must be maintained, and where harmful reduction in separation is to be avoided. It is not to create blanket protection across areas which do not warrant this protection, or where change can be accommodated without harm, or in any sense to secure separation for its own sake.

Representations made at the Regulation 19 stage on behalf of Richborough explained why the Area of Separation between Bitteswell, Lutterworth and Magna Park is too widely drawn in this context. A detailed “Area of Separation Review” (Blade, May 2025, v3) was included as part of that submission. It provides a thorough assessment of this point and should be noted carefully in the context of the Examination. Whilst those representations were prepared in support of the promotion of a specific site, that promoted site comprises an extensive area within the southern part of the Area of Separation and the analysis presented in the “Area of Separation Review” speaks to the validity of that Bitteswell, Lutterworth and Magna Park designation as a whole.

The “Area of Separation Review” should be read as a whole to understand the position but it shows that carefully planned major development within specific parts of the Bitteswell, Lutterworth and Magna Park Area of Separation can be achieved without compromising the relevant policy objectives around identity, distinctiveness and separation. Those representations show more generally that (save for its location within an Area of Separation) the promoted site was considered favourably in evidence including the SHELAA, Strategic B8 Needs Sensitivity Report, and Strategic Growth Options and Constraints Mapping for Leicester and Leicestershire (albeit noting the latter does not appear to have been included in the Local Plan Evidence Library).

As such, it has been shown that large scale development can be achieved in parts of the Bitteswell, Lutterworth and Magna Park Area of Separation without compromising its objectives. This means it is too widely drawn, and goes beyond what it is intended to achieve.

The overreaching nature of this designation should be of concern in any event, but particularly in circumstances where as here development pressures are high, needs are not being met, and the evidence shows that otherwise this location performs well as a place to accommodate development.

4. Are the requirements for development in relation to Areas of Separation and Green Wedges in criteria 2 and 3 of Policy DS04 appropriate and consistent with national policy?

No.

Criterion 2 of Policy DS04 refers to preventing the merging of settlements as well as maintaining distinctiveness through Areas of Separation. It seeks to do this by avoiding coalescence; this is reasonable as it relates to the objective of preventing merging. However, criterion 2 also seeks to, “preserve the existing visual and physical separation” in designated Areas of Separation (emphasis added). This is inappropriate. It suggests that this separation must be kept as it is and not changed to any degree, and that would prevent any development at all in the Areas of Separation. This would be unjustified, particularly where evidenced need exists.

Notwithstanding the position set out above in relation to Question 3 that one of these Areas of Separation (Bitteswell, Lutterworth and Magna Park) is in fact capable of accommodating large scale development without compromising the objectives, it cannot reasonably be the case that this Policy should be worded in this manner so as to prevent all development. The test should instead be one of avoiding unacceptable harm to the visual and physical separation, not preserving the existing separation. The second sentence of criterion 2 should be amended to read, “*Development in Areas of Separation must avoid coalescence and avoid unacceptable harm to the visual and physical separation between*”.

- 5. –
- 6. –
- 7. –
- 8. –