

Examination of the Harborough Local Plan 2020-2041

Stage 2 Matters, Issues and Questions (MIQs)

Written Statement by Harborough District Council

MATTER 5: Climate and Environment

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

Policies DS03 and DS04

Matter 5, Issue 1: Climate Change and the Natural Environment

Policy DS03 Development Strategy: Tackling Climate Change and Enhancing the Natural Environment

The Council's response:

Matter 5, Issue 1, Question 1

Q1: Is it realistic to expect applications to meet all of criteria 1a) to 1e) of Policy DS03?

1. It is considered that the policy wording could be more clearly worded so that, development demonstrates that it has met each of the criteria 1a) to 1e) where appropriate and relevant. To remove any ambiguity and ensure that the policy is realistic in its aims, the Council would be happy to accept a recommendation for a minor modification on this basis.

Matter 5, Issue 1, Question 2

Q2: Is it sufficiently clear to users of the Plan what would constitute prioritisation of sustainable active travel modes above use of the private car, for development to meet criterion 1a) of Policy DS03?

2. It is considered that the policy wording could be more clearly worded to require that the proposal demonstrated how it has considered prioritisation of active travel modes above the use of the private car. This is partly addressed by the addition of modification MM 9.1 in HDC Appendix 1 Schedule which proposes the addition of 'and supports the uptake of low emission transport solutions'. However, to remove any ambiguity and ensure that the policy is clear in what is required, the Council would be happy to accept a recommendation for a minor modification on this basis.

Matter 5, Issue 1, Question 3

Q3: Is there appropriate provision for protection of internationally designated sites outside the District?

3. Yes, there is appropriate provision for protection of internationally designated sites outside of the district as this is covered by other policies within the Local Plan which should be read in conjunction with DS03.
4. There are no internationally designated sites within Harborough but there are 3 sites within 15km of the district's boundaries; these are Rutland Water RAMSAR and SPA, Ensor's Pool SAC. The HRA [S-NLP 4] considered the impacts of growth on these designated sites and concluded that Ensor's Pool SAC was out of scope from the impacts of the growth from the Local Plan.
5. For the Rutland Water RAMSAR and SPA sites, the HRA considered that some safeguarding mitigation measures in relation to recreation, water quality and quantity within the local plan would be required to avoid any adverse effects on the integrity of the sites.
6. With regards to recreation, DM05 criteria 1a & 1b provide for alternative recreation options through the requirement of provision of high-quality multifunctional green and blue infrastructure therefore reducing recreational impacts on these sites.
7. With regards to water quantity, DS03 criterion 1b and DM09 criterion 1e provide mitigation for any potential impacts from changes on water quantity as a result of development which may be hydrologically linked to Rutland Water by requiring water efficiency statements from development to demonstrate water consumption standards of 110lppd.

8. Water quality is covered by Policy DM11 Managing Impacts on Land and Water Quality as well as DS05 criterion 4c, Policy DM08 Sustainable Drainage and DM10 criterion 4d, which together provide mitigation for any potential impacts on water quality from potential contamination, and the provision of SuDS and improvements to Riparian buffers.
9. The proposed modification MM 24.2 to DM10 also provides a requirement for an appropriate assessment and stipulates that no development will be permitted unless harm to the integrity of a designated site is ruled out.
10. Natural England considered that these mitigation measures were acceptable policy provision for the protection of these internationally designated sites.

Matter 5, Issue 1, Question 4

Q4: Does the Policy's approach to green infrastructure appropriately reflect Open Space evidence?

11. Yes, policy DS03's approach to green infrastructure does reflect the Open Space evidence when considered in conjunction with policy DM05 Green and Blue Infrastructure and Open Space.
12. DS03 refers to the retention and enhancement of existing Green and Blue Infrastructure and this accords with the Harborough Open Space Strategy 2021 & Open Space Strategy Review 2026. The Grand Union Canal, the various waterbodies in Harborough, disused railway lines, public pathways and bridleways, woodlands, hedgerows and semi-natural habitats are all highlighted of particular importance to be safeguarded and enhanced within the Open Space Strategy.

Matter 5, Issue 2: Heritage and Rural Character

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

The Council's response:

Matter 5, Issue 2, Question 1

Q1. In criterion 1 of Policy DS04, is it appropriate to describe the significance of heritage assets as 'integral components' of the District's character and identity? Is this the appropriate phrasing to acknowledge the contribution of heritage assets to the District's character and identity?

13. The Council considers that as currently written criterion 1a) could be more appropriately worded. This is addressed in proposed modification MM10.1 [[HDC2 – Appendix 1](#)] which proposes amending criterion 1.a) of DS04 requiring development proposals to '*demonstrate recognition and understanding of the significance of heritage assets as integral components of the district's character and identity*'. This replacement wording is considered more appropriate and ensures that the contribution of heritage assets to the District's character and identity is demonstrated in development proposals

Matter 5, Issue 2, Question 2

Q2. In criterion 1b) of Policy DS04, is it sufficiently clear for users of the Plan how 'could compromise' the integrity of heritage assets is to be determined? Is this requirement appropriate and consistent with national policy?

14. The Council considers that as currently written criterion 1b) could be more clearly written. This is addressed in proposed modification MM10.1 [[HDC2 – Appendix 1](#)] which proposes deleting the current wording of criterion 1.b) and replacing it with a requirement for development to '*conserve, and where possible, enhance the district's character and the natural and historic environment, including the setting of settlements*'. The replacement criterion is appropriate and consistent with national policy, recognising that protecting the district's rural character comprises multiple components which need to be considered when putting forward development proposals.

Matter 5, Issue 2, Question 3

Q3. 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?

15. Yes. The Council considers that the provision, extent and amount of Area of Separation and Green Wedge designations is appropriate with respect to their aims and is consistent with national policy.
16. Although national policy does not refer to Green Wedges or Areas of Separation as protective designations, these designations on the edge of settlements, and in the case of Green Wedges penetrating into the Leicester urban area, deliver a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities in accordance with the NPPF. Planning is encouraged to take account of the distinctive role and character of different areas and recognise the intrinsic character and beauty of the countryside. Local Plans are encouraged to protect and enhance valued local landscapes, contribute to the conservation and enhancement of the natural environment and the historic environment, promote healthy communities, and identify where development would be inappropriate.
17. In combination, Area of Separation (AoS) and Green Wedge (GW) designations seek to achieve these aims alongside the delivery of sustainable development. While not landscape designations, local topography and landscape features contribute to the defining of appropriate boundaries and how they fulfil their role.
18. Within the context of the development strategy and the need to deliver growth in sustainable locations, the extent and number of AoS and GW designations is considered appropriate. In combination, these designations allow for sustainable development in accordance with the spatial strategy whilst protecting areas where development would be inappropriate due to the sensitive relationship with adjoining built up areas, including heritage assets, and the desire for local communities to maintain their distinctive character as well as access to strategic green/blue infrastructure.
19. To prevent settlements merging with one another or with strategic employment areas (existing or allocated), existing AoS are taken forward in the Plan and two new AoS are designated alongside strategic allocations

(OA1 and MP2) to protect the identity and distinctive character of nearby settlements.

20. No new areas of Green Wedge are proposed in the Plan. While the existing extent of the Thurnby/ Leicester/ Oadby Green Wedge is retained, some reduction to the Leicester/Scraptoft/ Bushby Green Wedge boundary is set out in the Plan to accommodate strategic development (allocation S1) between Scraptoft and Thurnby/Bushby, settlements which are in the top tier of the District's settlement hierarchy. It is considered that a reduced Green Wedge can still fulfil the designation's aims.
21. The Council considers the number and extent of Green Wedges appropriate given the development strategy and the need to provide for development needs in sustainable locations. [TPC-NLP11](#) sets out further detail on the background and approach to AoS and GW designations in the Plan.

Matter 5, Issue 2, Question 4

Q4. 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?

22. Yes. Within the context of the Plan's overall development strategy and meeting the need for new development, the requirements set out in criteria 2 and 3 for Areas of Separation and Green Wedges are considered appropriate and consistent with national policy. The criteria seek to ensure that the overall open, undeveloped character of the designations is retained.
23. In the case of Areas of Separation, the designations seek to ensure that the distinctiveness of individual settlements is maintained while meeting the need for development. These designations are focused on areas where development pressures exist and where there are concerns over potential coalescence whether this is between settlements, settlements and nearby employment areas, or settlements and proposed allocations. Development proposals within Areas of Separation will be expected to ensure that the effectiveness of the Area of Separation in protecting the identity and distinctiveness of the settlements would not be compromised, either alone or in conjunction with other existing, committed and allocated development. Retaining the open, undeveloped character of these designations contributes to the landscape setting, natural environment and historic environment of

settlements, all important elements in local distinctiveness and settlement character in line with the NPPF.

24. While Leicester does not have a green belt, Green Wedges have formed part of planning policy for the Leicester urban area for almost 30 years. Green Wedges are strategic areas of predominantly open and green land, and most extend from the City into adjacent local authority areas. This gives them a strategic importance as they connect the city to the surrounding Leicestershire countryside. Given their cross-boundary significance and nature, they have long been a focus for joint working and collaboration in terms of establishing their aims and broad alignment of policies aimed at retaining their predominantly open and undeveloped character. Criterion 3 sets out the four functions of Green Wedges as agreed with local authority partners and the overarching aim of preserving their open and undeveloped character. Their review as part of the Plan's preparation process ensured that the maintenance of Green Wedges was balanced against the need to accommodate development needs in settlements in the top tier of the settlement hierarchy.
25. The Plans' Green Wedges ensure that, as the Leicester urban area grows to accommodate development needs, strategic areas of green/blue infrastructure are incorporated for the benefit of local communities, not only within the District but also in adjoining local authority areas. Their aims seek to promote health and well-being by providing a green lung into urban areas, access to the countryside and the provision of recreational opportunities. They play a role in preventing the merging of settlements locally, and in the case of Scraptoft protecting the setting of the Conservation Area and other heritage assets. The aims and multiple benefits of Green Wedges are consistent with the NPPF.

Matter 5, Issue 2, Question 5

Q5. Is the requirement in criterion 2 of Policy DS04 for development in Areas of Separation to avoid coalescence and preserve the existing visual and physical separation between settlements compatible with the extent and delivery of the following site allocations, which partly overlap Areas of Separation in the Plan:

Area of Separation in Policy DS04	Site Allocation
2b) between Bitteswell, Lutterworth and Magna Park	Lutterworth, Site L1: Land off Leicester Road (230 homes).
2d) between Ullesthorpe and Magna Park	Magna Park, Site MP2: Land at Mere Lane (122 Ha Strategic Warehousing B8 land).
2c) between Oadby and Great Glen	Leicester Urban Area, Land South of Gartree Road Strategic Development Area, Site OA1: Land South of Gartree Road (mixed use new neighbourhood inc. 1200 homes and 5Ha employment land in Plan period).

26. Yes. The Council confirms that the delivery of site allocations L1, MP2 and OA1 can be delivered alongside the respective Areas of Separation outlined in the table above.

27. On the Policies Map, the proposed Oadby/Great Glen Area of Separation is partially overlaid by allocation OA1: South of Gartree Road SDA and the proposed Ullesthorpe/Magna Park Area of Separation is partially overlaid by the strategic warehousing allocation MP2: Land off Mere Lane, Magna Park. Similarly, a small part of L1 allocation lies within the existing Bitteswell, Lutterworth and Magna Park AoS. Where this overlapping occurs, developers are aware that although the land remains part of the proposed allocation, the policy objectives for Areas of Separation apply. Developers of OA1 and MP2, in masterplanning for the respective sites, are aware of the need to minimise any built development within the designated AoS and focus on its potential to contribute to the sites' green/blue infrastructure, including open space provision, biodiversity net gain and sustainable drainage systems, and to promote health and well-being of existing and future residents.

28. Likewise, the proposed layout for L1 will be expected to incorporate the AoS part of the site within the on-site green infrastructure thus protecting its open undeveloped character.

Matter 5, Issue 2, Question 6

Q6. Is there adequate provision in the Plan to protect the District's rural character from impacts of development located *outside* Areas of Separation?

29. Yes. With the proposed modifications to DS04.1 criteria a) and b), the Council considers that there is adequate provision in the Plan to protect the District's rural character from the impact of development located outside Areas of Separation.

30. DS04.1 criteria a) and b) as set out in proposed modification MM10.1 [[HDC2 – Appendix 1](#)] require all development proposals across the District to conserve and where possible enhance the District's character, natural environment and historic environment, including the setting of settlements. Proposals also need to demonstrate a recognition and understanding of the significance of heritage assets as integral components of the District's character and identity.

31. While DS04 sets out the overarching policy, rural character comprises multiple elements and these are covered by other policies within the Plan. As the Plan needs to be read as a whole, these policies will also play a role in protecting the District's rural character from the impacts of development and include:

- DS04: Protecting biodiversity and geodiversity sites and the retention/improvement/connectivity of existing green/blue infrastructure (e.g. river/canal corridors, disused railway lines, bridleways, woodlands and hedgerows);
- AP03/AP04: Setting out a positive framework to support rural areas while at the same time protecting the countryside from inappropriate development;
- AP05: Ensuring the location of renewable and low-carbon energy development takes into account unacceptable visual impacts and provides for site restoration upon decommissioning;
- DM01: Promoting high-quality design that contributes positively to its context and characteristics;
- DM03: Managing the historic environment as an integral element of the District's rural character;
- DM04: Ensuring that the location of development is sensitive to the various elements of landscape setting and character;

- DM05: Protecting, and ensuring development contributes, to high quality, multifunctional green/blue infrastructure;
- DM10: Protecting and enhancing biodiversity/geodiversity and setting out the requirements for biodiversity net gain.

32. Alongside a spatial strategy which directs new development to the District's most sustainable locations, or where appropriate infrastructure can be delivered, policies in the Plan will protect rural character in accordance with the vision and the Plan's stated objective of 'Retaining and celebrating our heritage and rural character'.

Matter 5, Issue 2, Question 7

Q7. Do any implications for the appropriateness and effectiveness of the Policy DS04 arise from Neighbourhood Plans' approach to Areas of Separation?

33. No, the Council does not consider that the appropriateness and effectiveness of Policy DS04 will be impacted by Areas of Separation policies coming forward in Neighbourhood Plans. While the Plan identifies four Areas of Separation of strategic significance, three of which extend beyond a single parish boundary, neighbourhood planning groups can identify further Areas of Separation to reflect local circumstances and concerns.

34. There is a strong history of neighbourhood plan preparation within the District and, since 2014, several Areas of Separation have been designated in 'made' neighbourhood plans. Where Areas of Separation have been defined locally in neighbourhood plans, they are not duplicated as designations in the Plan, or shown on the Policies Map, as they already form part of the district's development plan.

Matter 5, Issue 2, Question 8

Q8. Is the requirement in criterion 3 of Policy DS04 to preserve the open and undeveloped character and appearance of the Leicester/Scraptoft/Bushby Green Wedge compatible with the extent and delivery of the Leicester Urban Area site allocation S1 Scraptoft East, Land between Scraptoft and Bushby (950 homes), which partly overlaps with this Green Wedge?

(Note: Areas of Separation and Green Wedges will also be discussed as part of Matter 7.)

35. Yes. The Council considers that the amended Leicester/Scraptoft/Bushby Green Wedge, as defined on the Policies Map, is compatible with the extent

and delivery of allocation S1. While overall there would be some reduction in the extent of the Green Wedge (GW) to allow for development on the edge of the Leicester Urban Area, the amended GW boundary would continue to meet the four GW functions as set out in policy DS04, criterion 3.a)-d). Further background and context for the amended GW boundary is set out in the Green Wedges, Areas of Separation and Landscape Topic Paper (6.8-6.20) [[TPC-NLP 11](#)].

36. Scraftoft, Thurnby and Bushby adjoin the Leicester Urban Area and are at the top of the Settlement Hierarchy. As such, they are sustainable locations for growth. The allocation of S1 recognises the opportunities that this strong relationship with the wider urban area presents. However, alongside this, the Council recognises the importance of maintaining a functional Green Wedge between Scraftoft and Bushby/Thurnby, not only for these communities but also for those within adjoining Leicester City.
37. While the extent of the existing GW will be impacted by allocation S1, the masterplan for the site (required under policy SA04.1) is required to incorporate the amended GW. This will present opportunities to enhance the four aims of the GW which passes through the site. The adjoining parts of the GW to the north west and south east of allocation S1 remain as currently designated, meaning that most of the GW is retained as is access to open countryside.
38. The amended part of the GW will play a role in supporting the four aims of the designation by:
 - *Preventing settlements merging*: The north west corner bounded by Station Road to the west and Covert Lane to the north ensures that existing separation along Station Road and the setting for Scraftoft Conservation Area to the north of Covert Lane is retained;
 - *Guiding development form*: While some loss of GW is acknowledged, this should be balanced alongside the need to locate new development in one of the district's most sustainable locations. Despite its reduction, the GW continues to guide development form in this area;
 - *Providing access from urban areas into green spaces/open*: By maintaining links with the unchanged north western and south eastern parts of the GW and incorporating PRoW's across the valley slopes, access to the valley slopes and open countryside remains, while potential opportunities to improve the quantity and quality of access can be explored through the masterplanning process for S1 Scraftoft East; and

- *Providing recreational opportunities:* Other than Edith Cole Memorial Park and PRowS recreational opportunities are limited across the whole GW. While accepting there may be some loss of the open rural context to PRowS used for recreational purpose due to the amended boundary, opportunities to improve the Green Wedge's recreational offering may come forward as part of the masterplanning process for S1.
39. In conclusion, while there is some loss of GW extent to accommodate growth in this sustainable location, the GW functions can be maintained and potentially strengthened as part of the masterplanning of allocation S1.