

Written Statement

On behalf of Davidsons Developments Limited and Jelson
Homes

Harborough Local Plan to 2041 - Examination

Matter 8: Strategic Policies for Housing

October 2026



Control Sheet

Report title: Harborough Local Plan Examination

Project name: Matter 8 – Strategic Policies for Housing

Matter number: 922993.61

Date: October 2026

	Name	Position	Initials	Date
Prepared by:	Sam Muir	Associate	SM	16/10/2026
Reviewed by:	Ben Ward	Planning Director	BW	16/10/2026
Approved by:	Ben Ward	Planning Director	BW	16/10/2026

This report has been prepared by Marrons on behalf of the client ("Client") in connection with the project described herein and in accordance with the Client's specific instructions and requirements. The report has been produced under the terms of the professional services appointment pursuant to which Marrons was engaged by the Client. This report is not intended for, and should not be relied upon by, any third party. Marrons accepts no duty or responsibility (including any arising in negligence) to any party other than the Client and disclaims all liability of any kind to such third parties in relation to this report.

8. Strategic Policies for Housing

Issue 1: Housing Needs

Policy HN01 Housing Need: Affordable Homes

Q1. Is policy HN01's requirement for 40% of homes on qualifying developments to be affordable, apart from in 'exceptional circumstances' an appropriate and effective approach to meet identified need for affordable housing? Would the Plan meet that need in full or in part?

- 1.1. As set out in our Regulation 19 representations, there is an acute and persistent need for affordable housing in the District. In this respect, the Housing and Economic Needs Assessment ("HENA") [HSG-NLP 2] identifies an annual need of 421 affordable homes, as compared to the annual average housing requirement of 621 dwellings per annum. Notionally, the affordable housing need figure represents 68% of the annual average housing requirement. It is clear, therefore, that the overall housing requirement will not address the objectively assessed need for affordable homes in full.
- 1.2. To be clear, we support the objective of maximising affordable housing delivery and reiterate the logical proposition that increasing the overall housing requirement would increase affordable housing delivery. Whilst Policy HN01 is justified and contributes towards meeting identified needs, it is unlikely to do so in full. It is in that context that the Viability Report [INF-NLP 3] requires careful scrutiny, addressed in our response to Question 3 (below).

Q2. Do criteria a) and d) of policy HN01 together make it clear what constitutes 'exceptional circumstances', and what is required in such circumstances?

- 1.3. No substantive comments.
- 1.4. Nevertheless, in the interests of certainty, a policy that purports to accommodate "exceptional circumstances" should, properly, be accompanied by guidance that elucidates both their ambit and operation.

Q3. Is the proportion of affordable housing sought viable, both by itself and in combination with other planning requirements in the Plan?

- 1.5. As the question intimates, the viability of affordable housing does not exist in a vacuum; it must be considered alongside other requirements of the Plan. Whilst we do not suggest that the prescribed requirement is unviable, we have previously raised concerns as to the assumptions made in the Viability Report [INF-NLP 3].
- 1.6. In this respect, we refer to our Regulation 19 representations. First, it is unclear whether, or to what extent, an allowance has been made for professional fees on strategic sites. Second, lower quartile BCIS costs have been used for larger sites due to economies of scale. However, the BCIS data already accounts for the costs and economies of scale typically associated with new build projects. Importantly, strategic sites are often developed by two or more non-PLC housebuilders. As a result, economies of scale cannot be universally assumed across an entire site, as each housebuilder operates with its own distinct cost base.

- 1.7. Third, it is unclear how cumulative policy burdens introduced through the Plan, notably in respect of custom and self-build dwellings and older persons accommodation, have been factored into the Viability Report. Fourth, and finally, it does not appear that the viability appraisals have accounted for the Building Safety Levy, equivalent to £29.47 p/sqm in Harborough.

Q4. Is it clear for users of the Plan, what ‘capable of delivering 10 or more homes’ means and how this will be assessed?

- 1.8. No. As drafted, the phrase “capable of delivering 10 or more homes” is expressed in vague and imprecise terms. We assume that it is an attempt to shield against “salami-slicing” or schemes which circumvent the 10-dwelling trigger. However, this should be made clearer, to ensure its consistent application and to provide applicants with certainty as to what might reasonably constitute a qualifying development.

Q5. Is the tenure split in criterion b) of policy HN01 justified?

- 1.9. Whilst the tenure split is presently justified by evidence, we would caution against a prescriptive requirement or fixing determinative outcomes. Criterion (b) should be drafted with more flexibility so as to allow a decision-maker to have regard to up-to-date evidence, viability considerations, market conditions and the requirements of Registered Providers.

Q6. Is the viability reassessment approach in criterion e) of policy HN01 appropriate and consistent with national policy? Also, is this criterion effective for schemes for 500 or more flats, for example?

- 1.10. The role for viability assessment is primarily at the plan making stage. It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies¹. However, Planning Practice Guidance provides that plan makers are entitled to incorporate a “review mechanism”. That mechanism, however, should be accompanied by a clear process and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development². The importance of clarity and precision will be particularly relevant to large, phased developments which are likely to be delivered over an extended period; defining various trigger points, obligations and milestones. The Council should endeavour to furnish applicants and developers with such clarity.

¹ Paragraph 002 Reference ID: 10-002-20251216.

² Paragraph 010 Reference ID: 10-010-20251216.

Policy HN02 Housing Need: Mix of New Homes

Q1. Does policy HN02 appropriately address evidenced need for various housing types, tenures and sizes?

- 1.11. No, insofar as criteria (2) and (3) are concerned.
- 1.12. The evidence on need is based principally on the district's ageing population. However, it does not follow that an ageing population correlates directly to an increase in the number of households requiring more accessible homes. In any event, an ageing population is a national demographic trend. Had the Government intended for *national* indicators to justify introducing technical standards at the *local* level, it would have said so, rather than allowing adoption on an authority-by-authority basis, dependent on local evidence.
- 1.13. Moreover, it is unclear how much of the existing housing stock is either already accessible or capable of adaptation. In some cases, the adaptation of existing stock is preferable, as it enables persons with additional accessibility requirements to remain in their homes and communities.
- 1.14. Furthermore, as set out below, Policy HN04 requires that 10% of all dwellings proposed on sites over 100 units to come forward for older persons accommodation. Given that the main rationale for including the enhanced technical standards within the Plan is due to the district's ageing population, it should be considered what proportion of the need for accessible units can be addressed through that policy requirement.

Q2. Is Table 10 of the Plan an appropriate starting point for considering the size of homes needed across different tenures?

- 1.15. We raise no substantive objection to Table 10 being used as the "starting point" for housing mix; the policy retains an appropriate degree of flexibility.
- 1.16. As drafted, we support the inclusion of Table 10 within the policy subtext, as opposed to being embedded within the policy itself. For, this approach impliedly recognises the issues associated with a rigid application of the preferred mix. We would, however, request that express reference is made, within the policy text, to the type of evidence that the Council would deem appropriate, to allow a decision-maker to have regard to site-specific characteristics, constraints, viability considerations and market conditions. As regards market housing, we would also suggest that the policy drafting is revisited to make clear that the mix in Table 10 should be considered alongside other relevant evidence, rather than operating as the default position unless otherwise displaced.

Q3. Is the approach to accessible and adaptable homes in criteria 2 and 3 of policy HN02 flexible enough to take account of site constraints and development viability considerations?

- 1.17. No. As drafted, criteria (2) and (3) are not flexible enough to take account of site constraints and viability considerations.
- 1.18. Indeed, their drafting is concerned primarily with fixing determinative outcomes. As regards criterion (2), this establishes a rebuttable presumption, whereby "all homes" will be expected to meet M4(2) technical standards, save where evidence is adduced which indicates that it would be "impossible" to do so. That is the only mechanism through which

to rebut the presumption, and it introduces an evidential burden of “impossibility” that will prove difficult to discharge.

- 1.19. However, criterion (3) is absent even that flexibility. Unlike criterion (2), there is no mechanism through which an applicant may depart from the prescribed minimums in response to viability considerations or site-specific constraints. To prefer such an approach risks undermining the viability of schemes and disregarding site-specific characteristics that might have a legitimate bearing on a development's ability to provide M4(3)A and M4(3)B compliant dwellings. Plainly, both criteria (2) and (3) are insufficiently flexible to respond to the characteristics and circumstances of individual sites.

Q4. Are criteria 2 and 3 of policy HN02 consistent with national policy?

- 1.20. No, as drafted criteria (2) and (3) are inconsistent with national policy.
- 1.21. Upon introducing the optional technical standards, the corresponding Written Ministerial Statement³ cautioned that their application should “only be required” where they address a clearly evidenced need, and where their impact on viability has been considered. Indeed, the Planning Practice Guidance (“PPG”) places the burden of proof firmly upon local planning authorities and explains that they are properly entitled to consider:
- The likely future need for housing for older and disabled people (including wheelchair user dwellings);
 - Size, location, type and quality of dwellings needed to meet specifically evidenced needs;
 - The accessibility and adaptability of existing housing stock;
 - How needs vary across different housing tenures; and
 - The overall impact on viability⁴.
- 1.22. Furthermore, paragraph 135(f) of the Framework provides that planning policies should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Criterion (f) cross-references footnote 52, which makes clear that planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties (emphasis added).
- 1.23. Given our responses to preceding questions, together with our Regulation 19 representations, we submit that the Council has failed to demonstrate that the evidence justifies the blanket requirement(s) imposed by criteria (2) and (3).

³ WMS: Planning Update March 2015.

⁴ Paragraph 007 Reference ID: 56-007-20150327.

Policy HN03 Housing Need: Housing Type and Density

Q1. How are the minimum residential density figures in policy HN03 arrived at? Are they justified?

1.24. No comments.

Q2. For exceptions in policy HN03, is it clear enough for users of the Plan how 'availability of public transport and other services and facilities' informs calculation of lower density?

1.25. No comments.

Policy HN04 Housing Need: Supported and Specialist Housing

Q1. Is the rate of at least 10% of dwellings on suitably located residential development of 100 dwellings or more, in criterion 2 of policy HN04, a justified and effective approach to meet identified need for specialist housing for older people? How is this rate arrived at?

- 1.26. No. As drafted, criterion (2) is neither justified nor effective.
- 1.27. As set out within our Regulation 19 representations, the prescribed percentage is formulated according to the projected need for older person's housing, based on demographic trends and the ageing nature of the population. Beyond this, no further justification is provided, including how the threshold of 100 units was derived or how the percentage requirement relates to the overall scale of need. That is particularly so where paragraph 14.31 of the Local Housing and Employment Land Evidence [EMP-NLP 5] recommends that larger strategic sites "should" be "expected" to make provision for a range of speciality types of homes for the district's growing older population in order to boost supply. What it does not do, however, is mandate provision, nor does it prescribe minimum requirements.
- 1.28. Furthermore, it is not readily apparent what form of accommodation Policy HN04 seeks to address. "Specialist housing for older people" can encompass a broad range of housing products, from extra-care accommodation to age-restricted market housing. The policy, supporting text and evidence base provide little assistance in this regard. This is not insignificant given that different typologies will necessitate different locational, operational and management requirements.
- 1.29. Similarly, the policy does not explain how such accommodation is anticipated to be delivered and managed as a component part of a larger housing scheme. If the intention is simply to secure accessible/adaptable housing, this overlaps significantly with the standards sought by Policy HN02. By contrast, if the policy seeks to secure accommodation involving extra care, the Council has not demonstrated that such provision can be viably delivered as a relatively small component of market-led housing schemes. Nor has it explained why existing retirement, care and specialist housing providers are unable to meet identified needs through dedicated schemes.
- 1.30. That the Council should plan to meet the needs of older people is not objectionable. However, the evidence does not support the introduction of a blanket requirement across all qualifying developments, which confers no discretion for one to consider site-specific characteristics, viability and/or suitability. Despite the Council's assertion to the contrary, not all sites or locations will be suitable for such uses. Accordingly, large proportions of sites may not come forward at all for older people's accommodation. In particular, we note that the policy neither contemplates a scenario where there is a lack of demand, nor does it incorporate a "cascade" mechanism for reversion to market housing should a lack of demand be evidenced, analogous to the approach promulgated in Policy HN05 (below). Drawing the above together, criterion (2) lacks sufficient flexibility to ensure its effective implementation.

Q2. Is it clear enough for users of the Plan what sort of factors can make a location 'suitable' for specialist housing for older people, in criterion 2 of policy HN04?

- 1.31. Some clarity is to be found within the policy subtext, despite being absent from criterion (2) itself and being expressed in vague and imprecise terms.
- 1.32. The final sentence of paragraph 6.22 of the Plan provides that “developments should offer a suitable location that provides easy access to services, community and support facilities, including health facilities and public transport.” However, the drafters have neglected to define “easy access”, rendering the consistent application of criterion (2) improbable.
- 1.33. Both the policy itself and the subtext are silent as to how “suitability” or “easy access” are to be assessed in practice and whether any of the aforementioned factors are to be afforded particular weight. This is a significant omission given that “suitability” operates as the principal determinant for whether development is required to provide at least 10% specialist housing.
- 1.34. More significantly, paragraph 5.3.18 of the Topic Paper [TPC-NLP 8] states that the Council’s analysis assumes that all site allocations offer a suitable location for older people accommodation. In so doing, the Topic Paper [TPC-NLP 8] renders the line of enquiry within criterion (2) superfluous; answering the very question that it poses. With all allocations presumed “suitable”, it is unclear what practical purpose this ‘test’ serves.

Policy HN05 Housing Need: Self Build and Custom Build Housebuilding

Q1. How is demand for self and custom build housing calculated? Will the approach to providing land for self and custom build housing in policy HN05 meet the demand? Is the inclusion of self build and custom build housing within new building housing developments a justified way to do this? Is the 40 dwellings (gross) threshold for provision of at least 10% of the total number of dwellings on such developments appropriate, effective and consistent with national policy?

- 1.35. The Harborough Local Housing and Employment Land Evidence [EMP-NLP 5] demonstrates that a demand exists (c. 35 registrations p/a), and that a cumulative shortfall has materialised, equivalent to 172 dwellings as at October 2024. Paragraph 1.27 finds that, in order to meet identified needs, the Council might reasonably consider tightening its policy framework, incorporating a “potential” mechanism through which 10% provision is “expected” on sites of over 40 dwellings. It is significant that this approach is identified as a “potential” remediation measure, not the exclusive means, or panacea, through which to address the Council’s identified needs. Appendix A of the Housing Mix and Type Topic Paper [TPC-NLP 8] provides the justification for imposing the threshold but does not identify whether the Council explored alternative means.
- 1.36. Indeed, as set out within our Regulation 19 representations, it is inappropriate to require major developments to make provision for self-builders. Instead, the Council should actively promote self and custom-build housing through the identification of suitable locations where such development would be supported in principle, or through the adoption of a criteria-based policy. In this respect, the Council should facilitate land provision proactively through the utilisation of Council-owned land, or through the designation of specific sites for self and custom-build housing; the former recognised as a “potential approach” in [EMP-NLP 5].
- 1.37. Not least because of the challenges associated with integrating self and custom-build plots within large-scale housing developments, including difficulties around coordinating their construction with the build-out of the wider site. Given the presence of multiple contractors, heavy machinery on-site, and programme management, it would be impractical and pose health and safety risks for individual self-build projects to proceed simultaneously with large-scale construction activities. In any event, custom and self-build housing comes forward over a much longer timescale than other forms of housing and is often not liable for section 106 contributions towards infrastructure.
- 1.38. Paragraph 70 of the Framework explains that local planning authorities should seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom-build housing (emphasis added). Whilst paragraph 70 does not operate as a prohibition to serviced plots being delivered on larger developments, the Council has not adequately explained why policy HN05 focuses exclusively on such sites, noting again the obscurity of Appendix A to the Topic Paper.

Q2. Is it sufficiently clear to users of the Plan what sort of evidence would be helpful to inform consideration of whether there is ‘clear evidence of lower demand’, under criterion 3 of policy HN05?

- 1.39. No. As drafted, criterion (3) lacks sufficient clarity.
- 1.40. Policy HN05 is permissive of a lesser provision of serviced plots *only* where there is “clear evidence of lower demand”. It is significant that policy HN05 imports such rigidity, despite its drafting in vague and imprecise terms. The practical implications, borne out of the narrow scope of circumstances in which an applicant may depart from the policy requirement, are unjustified and potentially obstructive to the delivery of allocated sites.
- 1.41. At its simplest, criterion (3) imposes a great evidential burden upon applicants seeking to depart from the policy requirement, despite the policy text being altogether absent as to what might reasonably constitute “clear evidence”. The inference is that such evidence may include local market interest, the success (or otherwise) of previous marketing exercises, site-specific characteristics, or other objective indicators of demand. However, neither the policy itself, nor the supporting text, provides any indication as to the evidence that might suffice in discharging the evidential burden. In the absence of any such guidance, criterion (3) risks being applied inconsistently through the development management process.

Q3. Is 18 months a reasonable length of marketing period in criterion 3 of policy HN05?

- 1.42. No. It is neither proportionate nor justified.
- 1.43. As set out within our Regulation 19 representations, we are supportive of a ‘cascade’ mechanism which allows for the reversion of unsold custom and self-build plots to market housing, following a period of unsuccessful marketing. However, the period which criterion (3) seeks to impose is, at best, unnecessarily restrictive and, at worst, totally arbitrary.
- 1.44. Indeed, the Housing Mix and Type Topic Paper [TPC-NLP 8] references the marketing exercise upon which applicants should embark, but offers nothing of substance, for it does not elucidate the rationale for introducing such an onerous requirement. Nevertheless, paragraph 6.27 of the policy subtext supposes that such a burdensome exercise will facilitate a local marketing campaign including promotion on social media and targeted marketing to individuals on the Council’s Self and Custom Build register. However, that does nothing to explain *why* such a long exercise is required. In the absence of any evidence to the contrary, it is improbable that any interest that cannot be secured in the first 6 months will materialise after 18 months.
- 1.45. In the interests of pragmatism, the marketing period should be reduced to six months; an adequate period within which to test the market and gauge interest. Quite apart from the *length* of the exercise, there is no clear justification for defining “commencement” as the point at which a serviced plot becomes available. The reality is that, within larger developments (to which policy HN05 is targeted), serviced plots will not be available until such time that utility connections are secured and initial site infrastructure is installed. It is on this basis that criterion (3) risks unnecessarily delaying housing delivery, constraining the timely build-out of allocated sites, particularly where demand for serviced plots is not forthcoming, and compelling developers to revisit phasing arrangements.

Q4. Is it clear who is responsible for producing a design code, as required in criterion 6 of policy HN05, and the process for this?

- 1.46. No. As drafted, criterion (6) lacks sufficient clarity.

- 1.47. Indeed, the policy states that “detailed applications for self and custom-build homes on plots with a plot passport and design code will be supported [...]” (emphasis added). Then, at paragraph 6.28 of the policy subtext, they are described as a “key reference point for the purchaser” (emphasis added). The inference one might reasonably draw from these two extracts is that a plot passport and design code will *already* have been prepared and agreed prior to the submission of a detailed application.
- 1.48. By contrast, however, paragraph 6.4.1 of the Housing Mix and Type Topic Paper [TPC-NLP 8] provides that “detailed applications for self and custom build homes will need to be accompanied by a plot passport and design code” (emphasis added). It is unarguable that the drafting of paragraph 6.4.1 in the conditional tense suggests anything other than that an application for detailed consent will need to be accompanied by a plot passport and design code. In other words, paragraph 6.4.1 suggests that, at the point of submitting a detailed application, the plot passport has yet to be agreed. Plainly, between the materials cited, it is neither possible to reconcile the trigger point for submission nor identify the party who must shoulder the burden of preparing a “plot passport”.
- 1.49. By virtue of the ambiguity embedded within criterion (6), it is also uncertain how the “approval” process is intended to operate. That is despite paragraph 6.28 of the policy subtext referring to plot passports as a “simple” means through which to help private homebuilders understand what they can build. The process envisaged by the Council should be elucidated within the policy, to ensure a consistent and fair application of the policy and afford certainty to prospective self-builders.
- 1.50. Given that it is unclear as to who is responsible for preparing a plot passport, or at what stage agreement must be reached, greater clarity should be provided within the policy itself. On an ordinary reading of the extraneous materials, one might reasonably infer that responsibility rests with the self-builder, but any such clarity is absent from the policy. The fact that a reader must consult documents beyond the Plan in an attempt to understand its drafting is indicative of a policy which is neither clear nor effective.

Policy HN06 Housing Need: Gypsy and Traveller and Travelling Show people Accommodation

Q1. Is there robust evidence of the need for gypsies, travellers and travelling show people's accommodation over the Plan period?

1.51. No comments.

Q2. Does the Plan identify sufficient locations to meet the accommodation needs of gypsies, travellers and travelling show people, within the planning definition of travellers, for the following periods after adoption of the Plan: a) the first 5 years, b) years 6 – 10 and c) years 11 – 15? Is the Plan's approach for these periods consistent with national policy, and justified?

1.52. No comments.

Q3. Does criterion 4c) of policy HN06 articulate a justifiable and effective approach to locational sustainability of sites? Is the distribution of Gypsy & Traveller and Travelling Show people accommodation locations in the Plan justified?

1.53. No comments.

Q4. Is there robust evidence of site availability, capacity and accessibility, for the Gypsy & Traveller and Travelling Show people accommodation provision in the Plan to be deliverable?

1.54. No comments.

Q5. Does the Plan make appropriate provision for transit sites?

1.55. No comments.

Q6. Is it sufficiently clear for users of the Plan what the design guidelines in criterion 4d) of policy HN06 are?

1.56. No comments.