

Matter 10: Design of Developments and Management of Impacts

Issue 1: Development Standards

Policy DM01 High Quality Inclusive Design

Questions 1, 3 and 4

- 1.1.1. Proportionate protection is realistic; identical enhancement obligations for every development are not. [DM01\(2\)\(h\), pp.123–124](#) already recognises development type and scale; clarify the relationship with (2)(b)'s unqualified enhancement requirement. DM04 must govern landscape character, topography and significant views; planting cannot substitute for conserving them. Clarifying those relationships would improve effectiveness without exempting strategic allocations from environmental assessment. [Reg19 §8.1.2, p.31](#).

Policy DM02 Amenity and Wellbeing

Question 1

- 1.1.2. The objective is justified, but “acceptable” requires an assessable outcome, not merely promised mitigation. [DM02\(1\), p.125](#) should require residual amenity and health effects, including cumulative air-quality effects, to be demonstrated against relevant standards. That gives decision-makers an enforceable test without an unrealistic prohibition on every adverse effect. [Reg19 §8.1.3, p.33](#).

Questions 3 and 4

- 1.1.3. A proportionate health assessment is justified; no evidence here warrants changing the 150-home threshold. The deficiency is how assessment changes decisions: [DM02\(3\) and paragraph 8.8, pp.125–126](#) should require identified mitigation, responsibilities and monitoring to inform permission and conditions. LCC supplies public-health advice; HDC remains decision-maker. The [MM20 template proposal, pp.34–35](#) improves consistency but does not itself secure outcomes. [Reg19 §8.1.7, p.36](#).

Policy DM03 Heritage Asset Conservation and Design Standards

Questions 1, 3, 4 and 5

- 1.1.4. [MM21.1–3 and MM21.6, pp.35–37](#) appropriately broaden the title, remove duplicated harm tests and add heritage-at-risk action. The opening conservation objective can remain, but must distinguish asset categories. The applicable positive-strategy requirement is [NPPF paragraph 196, p.57](#), not the later-edition numbering in the question. These changes do not determine the acceptability of harm from an allocation. [Reg19 §5, p.24](#).

Questions 2, 6, 7 and 8

- 1.1.5. Clarify that [submitted criteria 1 and 4, p.127](#) cover both designated and non-designated assets, with proportionate significance assessment. [MM21.4–5, p.36](#) add useful design detail, but justification for harm is not the decision test. Apply the distinct [NPPF paragraphs 205–209 tests, p.59](#), including balanced judgement for non-designated assets. The [LSGR HIA, Table 7.1, pp.80–81/PDF pp.84–85](#) itself identifies total loss of two non-designated RAF structures and potential total loss of farm assets. That requires a reasoned balance, not merely design compliance. [Reg19 §5, p.24](#).

Policy DM04 Landscape Character and Sensitivity

Questions 1 and 2

- 1.1.6. The omission does not positively authorise lesser harm, but “loss or substantial harm” risks leaving the treatment of lesser landscape effects unclear. [DM04, pp.128–129](#) should assess all material effects proportionately and identify the evidence and criteria establishing important features, views and skylines. Heritage significance must separately receive DM03/NPPF protection; “less than substantial harm” should not become a generic landscape threshold. [Reg19 §8.1.2, p.31](#).

Policy DM05 Green and Blue Infrastructure

Questions 1 and 2

- 1.1.7. Proportionate contributions are realistic; uniform on-site provision is not. The 8.5ha standard has an evidential basis: [HDC4A, Table 1, PDF p.3](#) records 9.08ha existing provision, falling to 7.08ha per 1,000 people on its 2041 projection. Flexibility already exists, but [DM05\(2\), p.130](#) starts at 10 homes whereas [HDC4A paragraphs 4.1–4.4, PDF p.5](#) start at 11. That threshold needs to be reconciled and accessible, maintained provision should be secured; flexibility must not leave growth without usable open space. [Reg19 §8.1.2, p.31](#).

Policy DM06 Transport and Accessibility

Question 1

- 1.1.8. Joint working has produced evidence and agreements, but not resolved the substantive dispute. [HDC15 paragraphs 5.4–6.1, pp.3–4](#) record HDC/National Highways' support and LCC/Warwickshire's opposing assessment. On 13 October, [LCC Cabinet, item 8, decisions \(c\)–\(d\)](#) confirmed continuing transport objections. Meeting together is not proof of effective delivery: the Panel should require a reconciled cross-boundary strategy addressing safety, congestion and sustainable modes, rather than infer resolution from collaboration. [Reg19 §8.1.7, p.36](#).

Question 2

- 1.1.9. An aspirational orbital route is not funded mitigation for this Plan. [HDC14, Appendix 6, item 8, p.35](#) proposes retaining SA02's potential to connect into a future orbital route for growth beyond this Plan. That is not equivalent to a mapped, safeguarded route outside of the boundaries of SA02. HDC must establish whether safeguarding is justified under [NPPE paragraph 110\(c\), p.31](#); current allocations must independently, and together, work without assuming delivery of the former A46 proposal. [Reg19 §4.2, p.20](#).

Question 3

- 1.1.10. A vision-led approach can support the 2023 framework; it cannot replace demonstrated deliverability. [MM22.1, p.37](#) requires site visions. Those visions must specify connected everyday destinations, service levels, modal assumptions, costs and delivery triggers across boundaries. If behaviour changes less than forecast, identify an affordable fallback and its effects, rather than assume targets will be met. [NPPF paragraphs 108–109, p.31](#) require genuine sustainable choices, not merely the vocabulary of a vision. [Reg19 §5, p.24](#).

Questions 4 and 5

- 1.1.11. National Highways' position means continuing engagement and application-stage testing, not a guarantee of no effects. [SCG-NLP25, pp.6–8](#) expressly retains detailed assessment and identifies wider network concerns. Access points within Harborough do not bound traffic impacts: journeys can affect other SRN sections and divert onto neighbouring local roads. The Panel must assess that network, not the administrative boundary. [Reg19 §8.1.7, p.36](#).

Questions 6 and 7

- 1.1.12. No. It is essential that potential transport impacts on the SRN are known at the plan-making stage given that the need for allocations to contribute to improvements to the SRN may impact allocation viability, timing and overall delivery. If the plan is to meet its LHN, it needs to ensure that allocations can deliver during the Plan period. Not having a clear picture of what intervention to the SRN is needed and how and if allocations can deliver or contribute to delivering those interventions does not provide certainty that allocations can be delivered and LHN met. Paragraph 108 is clear that transport issues should be considered from the earliest stage of plan-making. Impacts on the SRN should therefore be fully understood at the plan making stage, if the plan is to be consistent with national policy. National Highways accepts the plan-level case, but [HDC15 paragraph 6.1, p.4](#) records LCC/Warwickshire's conclusion that no tenable small interim Gibbet Hill solution exists. Resolve what growth depends on which intervention, and when and how it can be delivered. That applies [Circular](#)

[01/2022, paragraph 34](#), without demanding every later scheme be fully funded now. [Reg19 §8.1.7, p.36](#).

Question 8

- 1.1.13. Policy SA02 is not considered to be consistent with national policy in this respect. The plan evidence points to congestion on the A6. There is therefore an established need to identify and resolve those issues if the development of SA02 is to be acceptable from a highways perspective. Paragraph 108 of the NPPF requires transport issues to be considered at the earliest stages of plan-making. Given that these issues are known now, the appropriate mechanism to resolve them should be secured through Policy SA02. The Policy does not do this however, and at criterion 9(b) defers this to the planning application stage.
- 1.1.14. Furthermore, there are wider highway capacity issues that will have cumulative implications for both allocations in Harborough's Local Plan, but also the local plans of neighbouring authorities. Paragraph 109 of the NPPF requires the planning system to actively manage patterns of growth in support of the objective of paragraph 108. The appropriate place to do so is at the plan-making stage, particularly where there are cross-boundary issues. The failure to consider this at the plan-making stage is therefore considered to be contrary to national policy. Main Modifications to Policy SA03 will not resolve this issue. As referred to STNT's Regulation 19 Representations and its Matter 1 Hearing Statement, the issue stems from the proposed spatial strategy being based on the outdated SGP when the highway infrastructure required to deliver the SGP vision is no longer proposed. The Plan fails to identify an alternative solution and therefore, as a whole does not actively manage patterns of growth to minimise transport impacts.

Question 9

- 1.1.15. Yes: site-specific contributions can leave gaps in identifying the strategic highway interventions necessary to resolve cumulative highway impacts and can leave a cumulative funding gap. This is why it is crucial that known highway impacts are addressed at the plan-

making stage and not deferred to planning applications. [HDC6 paragraphs 19–29, pp.5–7](#) relies partly on future CIL/external funding while proposing nil CIL for strategic sites. [MM22.3, p.38](#) recognises cumulative impacts but does not finance them. If residual cumulative highway impacts remain severe, [NPPF paragraph 115, p.33](#) permits refusal; that safeguard does not establish that allocated growth is deliverable. [Reg19 §8.1.7, p.36](#).

Question 10

- 1.1.16. The totals are not comparable funding pots. HDC14 paragraph 7.10, p.28 totals £46,647,698 for integral/fundamental measures only; [paragraphs 5.33–5.34, p.12](#) separately identify £81,243,094 of beneficial active-travel measures, some considered disproportionate to allocated growth. The reduction cannot simply be called a saving or a deficit. Reconcile scope, attribution and priority against the earlier totals, then show funding and timing for the measures actually relied upon. [LCC's report, paragraphs 36–39, p.9](#) still questions the relationship between mitigation and available funding. [Reg19 §8.1.7, p.36](#).

Question 11

- 1.1.17. Exclusions require a transport justification, not merely a lower bill. [HDC14 paragraphs 5.88–5.99, pp.22–23](#) explains that SRN improvements are not modelled and retains £2.525m for three Leicester junctions outside the PSD assessment. STNT therefore does not treat every excluded study item as abandoned mitigation. HDC must demonstrate that the retained package addresses the growth effects and that removing schemes does not invalidate its accessibility or network assumptions. [Reg19 §8.1.7, p.36](#).

Question 12

- 1.1.18. The proposed reconciliation depends on services arriving before car dependence becomes established. The Public Transport Study submitted as part of the recent planning application for the LSGR site (HDC ref: 26/01350) envisages demand-responsive provision, then an initially half-hourly service, with higher frequency dependent on demand/viability and the through-road. Its anticipated 1,595-dwelling trigger concerns the whole cross-boundary scheme. Test

each housing phase against the service actually available, not the eventual 15-minute ambition, and secure the necessary operating support. [Reg19 §5, p.24](#).

Question 13

- 1.1.19. Not sufficiently. DM06(2), pp.133–134 requires major-development assessments but makes public-transport enhancement conditional on feasibility, which has not been demonstrated. Where accessibility relies on it, delivery cannot remain optional. Require safe, direct walking/cycling links to everyday destinations, accessible public transport, measurable Travel Plan outcomes and remedial triggers, following NPPF paragraphs 114 and 116–117, pp.32–33. Assessment documents are not substitutes for usable alternatives. Reg19 §8.1.7, p.36.

Questions 14 and 15

- 1.1.20. The policy should name and link the applicable guidance and consistently require Travel Plans for significant movement-generating development. [DM06\(1\)\(b\) and paragraph 8.23, pp.133–134](#) currently separate generic standards from the Travel Plan explanation. The [LCC Highway Design Guide, “Types of parking standards”](#) exists; apply it with context-sensitive parking and the sustainable-mode hierarchy, not as a substitute for those judgements. Align allocation policies and Appendix 6 with that requirement. [Reg19 §8.1.7, p.36](#).

Question 17

- 1.1.21. Some additional congestion is not automatically unacceptable. The test is unacceptable highway-safety effects or severe residual cumulative impacts under [NPPF paragraph 115, p.33](#). HDC must explain its significance judgement with transparent assumptions, not an unexplained district-wide tolerance. Contributions must meet [paragraph 57's tests, p.16](#); neither existing congestion nor behaviour-change aspirations justify an arbitrary levy or deferred mitigation. [Reg19 §8.1.7, p.36](#).

Questions 18 and 19

- 1.1.22. Not on the unresolved evidence. Modifications should connect DM06, DS05 and allocation policies to a justified cumulative mitigation package, realistic funding/phasing and enforceable triggers. However, wording that prevents occupation until an unidentified solution emerges does not demonstrate delivery. STNT seeks deletion of SA02: its retention requires evidence that the package and trajectory work together, not further promises to investigate. [LCC report, Table 1 and paragraphs 36–39, pp.8–9](#) identifies that unresolved strategy/modelling/funding relationship. [Reg19 §8.1.7, p.36](#).

Policy DM07 Managing Flood Risk

Question 1

- 1.1.23. DM07's safeguards are necessary, but policy wording alone does not establish safe lifetime delivery. The Flood Risk Assessment submitted with the recent outline planning application for LSGR (HDC ref: 26/01350) identifies the site within Flood Zone 1, relating to fluvial flooding; nevertheless identifies Parcel 2 access through possible surface flooding up to 0.3m, anticipating improvement from drainage. Safe access for all users needs to be established in each phase and no increased downstream risk, as required by [NPPF paragraph 173, p.49](#), rather than equating Zone 1 with absence of risk altogether. [Reg19 §8.1.4, p.34](#).

Policy DM08 Sustainable Drainage

Questions 1 and 4

- 1.1.24. Potentially, provided delivery and maintenance are secured. The Drainage Strategy submitted with the recent planning application for the LSGR site (HDC ref: 26/01350) rules out infiltration because of low permeability and proposes controlled discharge, 20% Qbar betterment and climate allowance. This is evidence of a solution, not its secured operation. The Drainage Strategy leaves adoption/maintenance details to reserved matters. Require workable outfalls, capacity, exceedance management and funded lifetime maintenance before the relevant phase operates. [Reg19 §8.1.4, p.34](#).

Questions 2 and 3

- 1.1.25. "Promote" alone is insufficient for necessary drainage outcomes. [MM23.1, pp.38–39](#) usefully specifies at least 20% below average annual peak greenfield runoff, recognised methods and LLFA guidance. The provision is submitted Part 3(f), not 2(f). Retain measurable performance requirements, clarify proportionate rainwater-storage expectations and require a reasoned hierarchy assessment; unsuitable clay infiltration should not be mandatory. [Reg19 §8.1.4, p.34](#).

Policy DM09 Sustainable Construction and Climate Resilience

Questions 1 and 5

- 1.1.26. "Minimise" supplies no assessment baseline. [DM09\(1\), pp.138–139](#) should specify proportionate carbon reporting, options appraisal and how residual emissions affect decisions. Address on-site renewables explicitly within that assessment, including feasibility and heritage constraints; do not assume a universal technology or percentage is justified. These requirements must yield measurable outcomes rather than a sustainability label. [Reg19 §8.1.3, p.32](#).

Question 2

- 1.1.27. Express 110 litres clearly as a consumption ceiling. [PPG 56-014–016](#) permits that optional requirement for new dwellings where local need is evidenced. Clarify the wording and treatment of other residential uses. Efficiency reduces demand but does not establish water-supply or sewer capacity for the growth proposed; the latter is addressed under DM11. [Reg19 §8.1.7, p.36](#).

Questions 3 and 4

- 1.1.28. Whole-life assessment is practicable in principle for major development, with a proportionate, consistent method. Mandatory accreditation is a separate question: [DM09\(2\)–\(5\), pp.138–139](#) must justify residential and non-residential requirements distinctly against national policy and cumulative costs. [HDC12, PDF p.5](#) infers extra headroom from reduced aggregate infrastructure costs; that does not itself demonstrate simultaneous affordability of all

standards, affordable housing and attributable infrastructure. Require that reconciliation, not automatic relaxation of safeguards. [Reg19 §4.1, p.17](#).

Policy DM10 Biodiversity and Geodiversity Protection and Enhancement

Questions 1 and 2

- 1.1.29. Retain locally specific delivery requirements, not unnecessary national-policy repetition. Ten per cent reflects the statutory baseline for qualifying development, subject to exemptions; see [PPG, "What is biodiversity net gain?"](#). Specify delivery, management and monitoring rather than imply that the percentage alone makes an allocation environmentally acceptable. [Reg19 §8.1.3, p.33](#).

Questions 3 and 4

- 1.1.30. Requirements should be proportionate to development and ecological context, but flexibility cannot bypass the protection hierarchy. [MM24.1–2, pp.39–41](#) improves that hierarchy. Its irreplaceable-habitat exception should also retain the suitable compensation-strategy requirement in [NPPF paragraph 186\(c\), p.54](#). Net gain is not a substitute for avoiding unacceptable harm or the separate habitats-site tests, including cross-boundary effects. [Reg19 §8.1.3, p.33](#).

Policy DM11 Managing Impacts on Land and Water Quality

Question 1

- 1.1.31. Compatibility is not demonstrated for all phases. The Drainage Strategy submitted with the recent outline planning application for the LSGR site (HDC ref: 26/01350) reports Oadby capacity for 188 early homes, none thereafter, and Wanlip-catchment capacity for 1,077; further modelling must determine reinforcement and phasing. These are cross-boundary scheme figures, not a Harborough capacity cap. DM11 needs evidence-backed capacity, works and occupation triggers. A condition preventing discharge is not evidence of when the remaining growth can connect. [Reg19 §8.1.7, p.36](#).

Questions 2 and 3

- 1.1.32. Prioritising poorer-quality land is justified; excluding allocations from the assessment requirement needs the allocation-stage assessment to do the work. DM11(3), p.142 should identify classification, affected area, productivity and permanent loss. The Environmental Statement (11.7.1–11.7.4, p.18) submitted with the recent planning application for LSGR (HDC ref: 26/01350) assesses 138ha of best-and-most-versatile land across the whole scheme as a permanent major adverse effect. Soil-handling mitigation does not remove that loss; weigh it in allocation justification, not merely subsequent landscaping. [Reg19 §8.1.2.1, p.32](#).

Policy DM12 Protection and Enhancement of Community Facilities

Question 1

- 1.1.33. Clarify facilities by community function, including health and leisure, not an assumed single use class. [Paragraphs 8.38–8.39, pp.144–145](#) give examples and treat Assets of Community Value as material considerations. Listing does not guarantee replacement provision. The policy cannot control changes that require no permission: see [PPG 13-012](#). State that boundary clearly. [Reg19 §8.1.7, p.36](#).

Question 2

- 1.1.34. DM12 protects facilities; DS05 must secure additional capacity needed by growth. Link the policies through provider-supported requirements, delivery responsibilities and triggers. [LCC report paragraphs 45–47, p.10](#) identifies competition for developer contributions and prioritises education. That makes simultaneous delivery material: reserving a facility site or protecting existing buildings does not establish an operational school or health service when residents arrive. [Reg19 §8.1.7, p.36](#).