Examination of the Harborough Local Plan 2020-2041

Stage 2 Matters, Issues and Questions (MIQs)

Written Statement by Harborough District Council

MATTER 10: Design of Developments and Management of Impacts

Whether the Plan is justified, effective and consistent with national policy in relation to Design of Developments and Management of Impacts?

Policies DM01, DM02, DM03, DM04, DM05, DM06, DM07, DM08, DM09, DM10, DM11, DM12, DM13, DM14 and DM15

Matter 10, Issue 1: Development Standards

Policy DM01 High-Quality Inclusive Design

The Council's response:

Matter 10, Issue 1, Policy DM01 High Quality Inclusive Design

Q1. Is it realistic, in criteria b and h of policy DM01 together, to expect all development to protect and enhance existing natural assets, and enhance the public realm?

1. The NPPF is clear that "the purpose of the planning system is to contribute to the achievement of sustainable development" (NPPF 2023, Para. 7). Sustainable development is made up of three objectives – an economic objective, a social objective and an environmental objective.

2. Policy DM01 criterion b states that development will be permitted where it protects and enhances existing natural assets. This accords with the environmental objective of sustainable development in the NPPF 2023 which is to protect and enhance our natural environment.

3. Criterion h of Policy DM01 states that development will be permitted where it enhances the public realm, including high-quality open spaces and links to the wider green infrastructure network that are convenient, function well and feel safe, with sufficient space, suitable to the type and amount of development

proposed. The social objective set out in NPPF 2023 asks for development to be pursued that fosters “well-designed, beautiful and safe spaces, with accessible services and open spaces”.

4. Criteria b and h accord with the objectives of sustainable development in the NPPF 2023. Planning policies “should play an active role in guiding development towards sustainable solutions” (NPPF 2023, Para. 9) and Policy DM01 has been written to support the strategy set out in Part 1 of the Local Plan.

5. It is important that all development makes a positive contribution to its surroundings and it is considered that criteria b and h are consistent with the requirement that plans be both aspirational and developable. NPPF 2023 Paragraph 16 and Paragraph 38 states “Decision-makers at every level should seek to approve applications for sustainable development where possible”. High design aspirations are sought to preserve the character of the District and to encourage sustainable development, however, if the Panel are minded to propose modifications that they consider necessary to tighten the scope of the policy, then the Council would be happy to consider those changes.

Q2. Is the policy justified, effective and consistent with both paragraph 16 (f) and Chapter 12 of the NPPF? What is meant by ‘a good quality experience’ in criterion 1 of the policy? Similarly, what is meant by, ‘integrated as far as possible’?

6. Policy DM01 accords with Paragraph 16 (f) in that it sets out the design intentions for the District of achieving high quality design and sustainable development which is serving a clear purpose. Policy DM01 is a broad and comprehensive policy covering all development. It sets out the Plan’s overall design objectives supplemented by more bespoke policies for specific areas set out in the Plan.

7. Chapter 12 sets out the intention of the NPPF for well-designed and beautiful places. Policy DM01 is consistent with this. A high bar is set as we are proud to have a District that is known for its attractiveness and we want that to be protected by supporting sustainable development that preserves and creates well-designed, attractive, green and safe places to live and work.

8. The inclusion of the words ‘a good quality experience’ is to show our intention that development in the District is to be enjoyed and welcoming for all. We

want the District to continue to be a place that people want to live, work and visit.

9. Criteria a) of Policy DM01 includes the wording 'integrated as far as possible' to ensure the policy allows for local circumstances when required. Development should respect the existing high quality of the built and rural environment, but the policy understands site specific barriers that may on occasion prevent development fully integrating with the existing built form.

Q3. How does the policy relate to DM04: Landscape Character and Sensitivity, with particular reference to planting, and reference to the topography and wider character of an area?

10. Policy DM01 is a broader design policy encompassing all aspects of good design to ensure the creation of high quality and functional places and space. Policy DM04 covers the specifics of landscape character and consideration of the Council's Landscape Character Assessment and Landscape Sensitivity Assessment. The District has different landscape character types and this policy is to ensure that development is sensitive to those features that are considered important and that characterise those different landscape areas.

Q4. Are any MMs necessary to make the Plan sound?

11. Modification MM19.1 is proposed to Policy DM01. This is set out in HDC 2 Appendix 1 Schedule of Proposed Modifications amended following Panel Note 2 (ID2).

Matter 10, Issue 1: Development Standards

Policy DM02 Amenity and Wellbeing

The Council's response:

Matter 10, Issue 1, Policy DM02 Amenity and Wellbeing

Q1. Is the policy justified, effective and consistent with both paragraph 16 (f) and Chapter 12 of the NPPF? What is meant by 'to an acceptable level'?

12. Chapter 12 sets out the intention of the NPPF for well-designed and beautiful places. Policy DM02 is consistent with this. Policy DM02 seeks to ensure that new developments offer a high-quality environment and do not negatively impact existing communities. By setting clear requirements for design quality and mitigating potential nuisances like noise, odour and light pollution, the policy helps create healthy and safer environments for occupants of new development and their neighbours. It promotes thoughtful design that considers both the interior and exterior aspects of buildings, ensuring they are accessible, comfortable and easy to use for everyone.

13. Information submitted as part of the planning application process will establish what constitutes an acceptable level for the proposed development and identify any appropriate mitigation measures required to ensure development does not have a detrimental impact on existing communities.

Q2. Is the policy consistent with the Agent of Change principle referenced in paragraph 200 of the NPPF? Should this be made explicit within the policy text?

14. Paragraph 193 of the NPPF 2023 refers to the Agent of Change principle. Where the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant introducing the change is responsible for providing suitable mitigation before the development has been completed.

15. Policy DM02 implicitly gives effect to the Agent of Change principle by requiring new development to be designed to protect the wellbeing of both future occupiers and those in existing developments. While this criteria-based framework ensures detailed assessment at the planning application stage to determine whether specific mitigation is required, the Council recognizes that

naming the mechanism would provide clarity for users of the Plan. Therefore, to remove any ambiguity and ensure alignment with national terminology, the Council would be happy to accept a Main Modification to explicitly embed the principle into the text of Policy DM02.

Q3. Is the threshold at which a Health Impact Assessment (HIA) is required set at an appropriate and proportionate level? What is the purpose of the HIA and how will it influence any decision making? What role is envisaged by Leicestershire County Council within the reasoned justification of the Plan and is this appropriate given that it is not the decision-making body?

16. The Health Impact Assessment (HIA) thresholds set out within Policy DM02 are considered appropriate and proportionate when considered alongside national planning policy, local evidence and established healthy placemaking practice across the County. The requirement for HIAs on developments of 150 dwellings or more, other major developments, and developments located within areas of public health concern reflects the scale and type of development most likely to influence the wider determinants of health. The thresholds provide a practical and proportionate mechanism for ensuring that health considerations are given appropriate attention where potential impacts are likely to be most significant. Furthermore, the supporting text makes clear that the scope and level of detail of the HIA should be proportionate to the scale, nature and location of the proposal.

17. The policy is also consistent with the wider approach to healthy placemaking across Leicestershire. Similar Health Impact Assessment requirements are included within adopted or emerging planning policy across the County, including Leicester City and Rutland, helping to provide a consistent approach for applicants operating across local authority boundaries. The thresholds therefore reflect an established and proportionate approach across the sub-region rather than introducing a unique requirement specific to Harborough. The policy also provides clarity and certainty for applicants by clearly identifying the circumstances in which an HIA will be required.

18. The purpose of a HIA is to ensure that the likely effects of development on health and wellbeing are considered in a structured and proportionate way at an early stage of the planning process. The objectives of the HIA are to identify potential positive and negative health impacts, maximise opportunities to improve health and wellbeing outcomes, reduce health inequalities and inform the design of healthier places.

19. The HIA is intended to inform both the evolution of a development proposal and its assessment through the planning process. It is not intended to operate as a pass-or-fail test, but rather as an evidence-gathering and design improvement tool that helps applicants and decision-makers understand potential health impacts, identify opportunities to enhance positive outcomes, and develop appropriate mitigation measures where required. In doing so, it supports more informed planning decisions and contributes to the creation of healthier places.

20. With regard to the role of Leicestershire County Council, responsibility for determining planning applications rests with Harborough District Council as the Local Planning Authority. It is appropriate for Leicestershire County Council Public Health to provide an advisory role. This role is focused on providing specialist health expertise to support the planning process. The HIA approach contained within Policy DM02 has been developed collaboratively between Harborough District Council and Leicestershire County Council Public Health, with both organisations supporting the proportionate use of HIA as set out within the policy. This includes maintaining the locally developed HIA template and guidance, advising on the scope and proportionality of assessments where appropriate, and providing consultation responses to assist the Council in understanding potential health and wellbeing impacts.

Q4. Are any MMs necessary to make the Plan sound?

21. Modification proposed to Policy DM02 in HDC 2 Appendix 1 – Schedule of Proposed Modifications amended following Panel Note 2 (ID2).

Matter 10, Issue 1: Development Standards

Policy DM03 Heritage Asset Conservation and Design Standards

The Council's response:

Matter 10, Issue 1, Policy DM03 Heritage Asset Conservation and Design Standards

Q1. Is the title of the policy consistent with the NPPF, which requires a positive strategy for the conservation and enjoyment of the historic environment?

22. In the proposed modifications HDC 2 Appendix 1 – Schedule of Proposed Modifications MM21.1 amends the policy title to: Management of the Historic Environment.

Q2. Are criteria 1 and 4 of policy DM03 intended to apply to non-designated heritage assets, as well as designated heritage assets. If so, is this clearly articulated?

23. Criteria 1 and 4 are intended to apply to all heritage assets, both designated and non-designated, in the proposed Schedule of Proposed Modifications MM21.5 proposes a specific criterion relating to non-designated heritage assets for further clarity as follows:

    Development affecting the significance of a non-designated heritage asset and/or its setting will have regard to the significance of the non-designated asset and be sympathetic to the local vernacular in terms of siting, size, scale, height, alignment, design and form, proportions and materials. Justification will be required for any harm or loss to the significance of the non-designated heritage asset.

Q3. Could the first sentence of criterion 1 of the policy be considered superfluous, and how does it relate to national policy?

24. The first sentence of criterion 1 relates to national policy in that it reflects a positive strategy for the conservation and enjoyment of the historic environment and recognises that new development needs to make a positive contribution to local character and distinctiveness. If the sentence is considered to be superfluous the Council would accept a modification to remove it from the policy.

Q4. Does the policy address the issue of heritage at risk, as required by paragraph 203 of the NPPF?

25. In the proposed modifications MM21.6 has been added to specifically address heritage at risk, as follows:

    6. At December 2025 there are eleven heritage assets listed on the Historic England Heritage at Risk Register. The Council will continue to monitor these and work with Historic England and other stakeholders to address the future of these assets. Securing, where relevant, appropriate conditions and/or seek to negotiate a Section 106 Obligation when planning permission is granted to ensure that all heritage assets are appropriately managed or conserved.

Q5. Do criteria 2 and 3 of the policy repeat national policy and lead to ambiguity as to how developments should be determined?

26. To avoid repetition of the NPPF proposed modifications are put forward, which propose criterion 3 is deleted and 2 is revised as follows:

    Proposed developments that affect a heritage asset and/or its setting, are required to demonstrate how the proposal has taken account of design, form, scale, mass, the use of appropriate materials and detailing, siting and views away from and towards the heritage asset in order to ensure that the design is holistic, sympathetic and minimises harm to the asset.

Q6. Does criterion 5 add any value to national policy?

27. In the proposed modifications MM21.4 sets out revised wording to add further clarity as follows:

    Development within or affecting the setting of a Conservation Area must demonstrate how the proposal has taken account of the local distinctive character and setting of the Conservation Area including the settlement pattern, streetscape, open spaces and natural features and how this has been reflected in the layout, design, form, scale, mass, use of materials and detailing, in accordance with Character Appraisals where appropriate to ensure that the development preserves or enhances the character or appearance of the Conservation Area.

Q7. Is criterion 6 consistent with national policy, in particular paragraph 216 of the NPPF?

28. Paragraph 209 of the December 2023 edition of the NPPF relates to non-designated heritage assets:

    '209. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

29. The proposed modification, MM21.5, modifies the wording as follows:

    5. Development affecting the significance of a non-designated heritage asset and/or its setting will have regard to the significance of the asset and be sympathetic to the local vernacular in terms of siting, size, scale, height, alignment, design and form, proportions and materials. Justification will be required for any harm or loss to the significance of the non-designated heritage asset.

30. As discussed in 5.7 of the Heritage Topic Paper [TPC-NLP 2] this is arguably stronger than NPPF para 209, although para 209 effectively requires that any harm to an undesignated heritage asset is outweighed by other considerations. It reflects the importance of non-designated heritage assets which contribute to the historic character of the district and are valued by residents who identify them as part of neighbourhood plans and through nominations to the Council's Local List.

Q8. Are any MMs necessary to make the Plan sound?

31. The Council has submitted proposed modifications to DM03 which are detailed in HDC 2 Appendix 1 – Schedule of Proposed Modifications

Matter 10, Issue 1: Development Standards

Policy DM04 Landscape Character and Sensitivity

The Council's response:

Matter 10, Issue 1, Policy DM04 Landscape Character and Sensitivity

Q1. In criterion 1b) of policy DM04, would the absence of the wording less than substantial harm have the effect of inviting such harm to important landscape features, including some heritage assets?

32. Policy DM04 should be read as a whole and alongside the Plan's heritage policies, national planning policy and the relevant statutory duties. Where an important landscape feature also forms part of the significance or setting of a heritage asset, any harm would be assessed through the applicable heritage policy and legal framework, including the distinction between substantial and less than substantial harm.

Q2. Is what makes landscape features, public views, skylines and landmarks 'important' in policy DM04 sufficiently clearly articulated for users of the Plan? Is the policy's approach to these elements justified?

33. Policy DM04 sufficiently articulates what makes landscape features, public views, skylines and landmarks important when read as a whole and alongside the supporting evidence base. The Council's Landscape Character Assessment and Landscape Sensitivity Assessment identify the characteristics, features and visual qualities that contribute to the District's landscape character and sensitivity. This provides an objective framework within which the importance of particular elements can be assessed.

Matter 10, Issue 1: Development Standards

Policy DM05 Green and Blue Infrastructure

The Council's response:

Matter 10, Issue 1, Policy DM05 Green and Blue Infrastructure

Q1. Is it realistic to expect all development, including residential development of less than 10 homes, to meet criteria 1a) to 1c) of Policy DM05, i.e. to contribute to creating high-quality multifunctional green and blue infrastructure, create and enhance accessible links for all and enhance access to publicly accessible open space?

34. The requirement of all development to meet criteria 1a) to 1 c) was based on the Green and Blue infrastructure Study 2024 GR-NLP4, which states that '*All new development offers opportunity to protect, create and restore GBI, improving accessibility and connectivity between existing GBI assets'* and that all development has a part to play at an appropriate level in improving the GBI in Harborough. Policy DM05 requires all development to play a role in providing high quality green and blue infrastructure, enhancing accessible links to recreational networks and facilities and open space.

35. It is considered that the policy wording could be more clearly worded to convey that all development is required, where practical and viable, to contribute at an appropriate level to green and blue infrastructure and open space.

36. To remove any ambiguity and ensure consistency, the Council would be happy to accept a recommendation for a minor modification on this basis.

Q2. Is it realistic and justified to require residential development of 10 or more homes to meet a local standard of 8.5 Ha of Natural and Semi-Natural Open Space per 1000 people in urban and rural areas of Harborough District? Is criterion 2 of policy DM05 flexible enough to be effective?

37. Policy DM05 is based upon the recommendations from the Harborough Open Space Strategy and delivery plan 2021 GR-NLP1 and GR-NLP2, the open space provisions were updated and are included within the HDC4a Open Space Strategy Review 2026, and the approach is summarised within the topic paper TPC-NLP4

38. These documents included a requirement for development of 10 or more homes to contribute at an appropriate level towards the provision of natural and semi-natural areas of greenspace. Off-site contributions would be sought where onsite provision is not practical to do so.

Q3. Are the requirements for Local Green Spaces in criteria 5 and 6 of Policy DM05 justified and consistent with national policy? Is it appropriate for Neighbourhood Plans to identify further Local Green Spaces?

39. Yes, Policy DM05 is justified, and it is based on policies 105 and 106 of the NPPF 2023, which enables Neighbourhood Plans to designate local green space.

Matter 10, Issue 1: Development Standards

Policy DM06 Transport and Accessibility

The Council's response:

Matter 10, Issue 1, Policy DM06 Transport and Accessibility

Q1. Transport is a strategic matter. Has effective and on-going joint working taken place between the District and neighbouring local authorities as well as the two relevant Local Transport Authorities and National Highways? If so, what are the outputs? If not, what is the significance given the most recent statements of common ground between Leicestershire County Council and Warwickshire County Council as Local Transport Authorities and the Council, where there are clear fundamental disagreements [HDC15] and [HDC9]? How have strategic cross boundary impacts related to transport matters including road safety, congestion and the prioritisation of walking, cycling and public transport been addressed?

40. Yes. Effective and on-going joint working between the Council, neighbouring authorities, the two relevant Local Transport Authorities and National Highways has taken place.

41. Blaby District Council (BDC), Harborough District Council (HDC), Hinckley and Bosworth Borough Council (HBBC) Oadby and Wigston Borough Council (OWBC) agreed a Statement of Common Ground Nov 2021 [SCG-NLP2] committing the authorities to develop a Joint Transport Evidence base (JTE) for Local Plans [TRP-NLP3], [TRP-NLP4A]. [TRP-NLP5],

42. The rationale for developing a holistic JTE base stems from appreciation of:
    - The interdependent nature of the transport network and its use.
    - That there are capacity and connectivity constraints on parts of the Strategic Road Network (SRN) in South Leicestershire, which create wider impacts on the highway network including knock-on effects on the local network.
    - The potential for cumulative and cross-boundary impacts arising from strategic site development opportunities, which need to be addressed by an integrated approach rather than individual Local Plans.
    - The potential need for unmet housing need from areas of the Leicester and Leicestershire Housing Market Area (HMA) to be accommodated by South Leicestershire Districts and Boroughs.
    - The need to build on existing policy and strategic thinking.

43. AECOM was commissioned to develop the JTE project. The work involved modelling three spatial growth options, analysis of model outputs and reporting on the scale and nature of impacts arising from growth, and an initial view of the potential need for strategic mitigation. The outputs from this work have supported the South Leicestershire Districts and Boroughs in the selection of their preferred spatial growth options.

44. The development of the evidence base was delivered in two stages:
    - Stage 1: a combined assessment of a range of alternative development strategy options for the four emerging Local Plans to inform the identification of a preferred option in each case. The focus was to identify key cross-boundary interactions/issues that could influence the choice of development strategy.
    - Stage 2: a combined assessment of the preferred development strategies, determined by the District and Borough councils, to identify key areas of cumulative impact and strategic mitigation requirements.

45. Leicestershire County Council maintained an advisory role throughout the JTE project. National Highways was kept informed of developments from the project work and attended the key workshops throughout the project and gave key inputs at that time highlighting that any proposed schemes on the SRN would need to be considered through future RIS processes. Leicester City Council and Warwickshire County Council were also attendees at the key workshops so were aware of developments in the JTE study.

46. The collaborative work on the JTE, which included the surrounding districts, Leicestershire County Council and National Highways is a very good example of the effective joint working that has taken place between the District and

neighbouring local authorities as well as the relevant Local Transport Authorities and National Highways.

47. The outcome of this joint work is a comprehensive strategic transport evidence base that addresses cross-boundary transport matters and is supported by the authorities. None of the neighbouring authorities, Local Transport Authorities or National Highways have raised any concerns about the JTE evidence either through their regulation 19 responses or in subsequent Statements of Common Ground.

48. The work that was undertaken in the JTE (using LCCs PRTM model) underpins all of the transport evidence for the draft Harborough Local Plan.

49. Notwithstanding this, Warwickshire County Council LTA and Leicestershire County Council LTA do not agree with National Highways on one specific area; that is, the growth proposed at Magna Park (MP1 and MP2) and the scale of mitigation required on the A5 at Gibbet Hill Roundabout.

50. The JTE does not include mitigation measures on the Strategic Road Network (SRN) up to 2041. This is because National Highways have consistently advised (including through the JTE process) that there is likely to be limited funding to deliver capital works for SRN improvements over the next circa ten years and they are not therefore able to commit to schemes on the SRN at this point. Whilst, schemes are progressing through the RIS process, including at Gibbet Roundabout these are potential strategic scale interventions to resolve pre-existing issues and forecast increases in background traffic growth and are therefore not reasonably related in scale and kind to local plan growth.

51. Given National Highways consistent advice, the impacts of local plan growth were modelled through the JTE on the basis of no SRN Mitigation up to 2041. The LRN mitigation package therefore reflects this ‘worst case’ scenario.

52. The Statement of Common Ground between National Highways and HDC (April 2026) [SCG-NLP25] confirms NH consider the evidence proportionate to Local Plan-making and have not raised any concerns with the evidence, including that no SRN mitigation is identified/required up to 2041.

53. Leicestershire County Council and Warwickshire County Council do not agree with National Highways position on this specific matter only. It is important to point out that there is no suggestion from the LTAs or NH that engagement has not been ongoing or effective. LCCs regulation 19 response explains:

"*From the LTA's perspective, the evidence clearly demonstrates that a strategic scale improvement is required at least at the Gibbet Hill junction in order for further strategic scale logistics growth to be delivered in the Magna Park area; the scale of scheme required is beyond that which a developer(s) could be expected to deliver and/or reasonably be required to do so in respect of the CIL tests.*

NH is engaged with the LTA (and its Warwickshire counterpart) in work to explore possible ideas for a strategic scale improvement at the Gibbet Hill junction. But given the current way that NH is empowered and funded by the DfT it is unable to act to prepare and deliver a scheme at a pace necessary to enable the Plan's effective delivery; essentially, if nothing changes it appears that the delivery of a strategic scale improvement is at the very least 10 to 15 years away even if public funding for it were to be confirmed 'tomorrow'. (For the avoidance of doubt, NH has been clear that no funding commitment exists.)

This is a real-life, practical example of the infrastructure planning and spatial problem that was highlighted to the Cabinet in September 2024 as part of the Authority's response to consultation on the National Planning Policy Framework reform, viz: "…the fundamental issue is that the approach to planning for future population growth is broken from a transport, highways and broader perspectives. The scale of infrastructure requirements is increasingly beyond that which Local Plan development sites can afford from a viability perspective and thus would render a Plan financially unviable. Public investment, be that through monies awarded to 223 LTAs or via National Highways, bears no resemblance to the delivery of real homes and jobs on the ground, either in terms of quantum, timing or the approach to business case development."

It is acknowledged that this is a national problem that requires action by the Government to resolve; it is beyond the gift of the LTA and the district council to address through a Plan making process. Nevertheless, in the light of the evidence and given that the LTA has no confidence that NH will be able to bring forward a strategic scale improvement within the Plan's lifetime, it would not be in the best interests of Leicestershire communities for the LTA to support this aspect of the Plan in the current circumstances."

54. It is therefore acknowledged by LCC that the issue is one of how SRN infrastructure is funded nationally and beyond what the plan-making process can resolve. It is important also to point out that the position relates to the growth at Magna Park (MP1 and MP2). No objections have been made

relating to the wider development strategy which proposes to allocate limited growth in the vicinity of the SRN in the District.

55. There is limited choice in where the need for strategic distribution can be met in the District. NPPF para 87 requires plans to recognise and address the specific locational requirements of different sectors, including for storage and distribution operations at a variety of scales and in suitably accessible locations. Strong access to the SRN is therefore required to meet the needs of this sector, which means the District's ability to meet the needs of the sector is limited to a small part of the District which has SRN access in the Lutterworth Area (i.e. the M1 J20 and the A5). The Strategic B8 Needs Sensitivity Report [EMP-NLP4] Table 7.1 indicates that only 7 sites meet the accessibility criteria for the sector which includes SRN access. All of these sites are in a small area close to existing Magna Park; M1 J20 and the A5.

56. Strategic cross-boundary impacts of the plan as a whole have been taken into account through the JTE study, including through the development of the Stage 2 mitigation strategy. This stage of the JTE work had the following objectives:
    - To provide a robust assessment of the potential cumulative impacts arising from the Preferred Spatial Growth Strategy in South Leicestershire, including cross-border impacts, to inform Local Plan evidence bases.
    - At a high-level, to identify a range of potential strategic transport interventions, with a focus on sustainable measures, which could address issues seen across South Leicestershire.
    - To consider the potential phasing for mitigation (to 2036, to 2041, and to full build out) and to propose packages of proportionate mitigation measures to address the impacts identified.
    - To determine the effectiveness of the mitigation packages to inform thinking on the phasing of mitigation and give pointers on the deliverability of proposed longer-term strategic development sites.

57. Cross border issues were a focus of this stage of the JTE, recognising that the proposed growth has the potential to generate impacts on the highway network beyond the boundary of South Leicestershire.

58. The mitigation schemes put forward to address the key issues arising from the growth levels tested in the JTE are strategic. They are developed at a high-level appropriate for plan-making and therefore do not include detailed proposals appropriate for the development management stage.

59. Mitigation measures on the Strategic Road Network (SRN) are included in the scope of Stage 2 but only for the post-2041 package. There is limited funding to deliver capital works for SRN improvements over the next circa ten years, as confirmed by National Highways during Stage 1 consultation.

60. Appendix D of the JTE Stage 2 report provides a detailed list of all of the mitigation measures that were tested and included within the JTE work. These measures covered:
    - Active travel;
    - Bus;
    - Rail;
    - Multi-modal interchange;
    - Local Road Network; and
    - Strategic Road Network proposals.

61. All of this demonstrates that cross boundary impacts have been considered and addressed through the JTE work which is an outcome of the effective and ongoing engagement between the Council, neighbouring authorities, LTAs and National Highways.

Q2. The strategy of the Plan has been influenced by the Strategic Growth Plan (SGP) [HDC5]. The SGP is a non-statutory plan but has nonetheless been central to the spatial distribution of development in both the District and the wider area, including Leicester, and is widely referenced within the Plan. The SGP includes a proposed 'A46 priority growth area'. However, the actual extension to the A46 is no longer supported, albeit the distribution of proposed housing remains for Land South of Gartree Road (SA02), Scraptoft (S1 and S2), and Thurnby and Bushby (TB1). Following PN6 [ID7], the Council has confirmed [HDC6] that the potential for an orbital route to the south and east of Leicester is not constrained, albeit the route is not being actively promoted by the Council, whilst the extension of the route remains an aspiration of Leicester County Council as the Local Transport Authority. Could the Council confirm the status of the route, how it relates to the policies map, and whether the Plan includes policies which would ensure that the route could be developed in the future, beyond the Plan period? If not, would this be justified, and consistent with national policy?

62. The Development Strategy Paper (PRE-NLP4) sets out the approach followed to justify the overall Development Strategy (i.e. the distribution of development). This includes the development and assessment of spatial options. Six Initial Spatial Options for housing were assessed at 3 scales of growth which informed the development of 3 Refined Options from which the

preferred strategy was selected (i.e. 21 discreet options were considered in total). Three options at 3 scales of growth were considered for employment (i.e. 9 discreet options). Options were assessed against a range of factors including the NPPF, SA, emerging plan objectives, deliverability and consultation responses. The SGP has not directly informed the selection of the preferred development strategy in the plan as set out in the Development Strategy Paper (PRE-NLP4). The explanatory text of the plan is clear the Strategic Growth Plan (SGP) is a non-statutory vision adopted in 2018.

63. Although the SGP has not directly informed selection of the preferred development strategy, the plan focuses significant development towards sustainable locations i.e. the Leicester Urban Area and Market Towns. It therefore broadly aligns with the SGP in that respect, which unsurprisingly recognises the role of Leicester as the 'central' city in the HMA and the Market Towns, including Lutterworth and Market Harborough. The transport evidence and IDP [HDC11A] identifies the transport measures required to mitigate the impacts of local plan growth on the transport network. This does not include the 'A46 Expressway' or any strategic scale highway interventions of this nature. The plan is therefore not reliant on the delivery of this infrastructure.

64. Whilst the plan is not reliant on the delivery of this strategic infrastructure, it is recognised that future strategic growth (if appropriate) beyond the plan period may require a more strategic approach.

65. A Strategic Development Strategy will be prepared for Leicester, Leicestershire and Rutland under the new planning system. This will consider the potential need for strategic infrastructure long-term (beyond the local plan period) through a statutory process. This process cannot be pre-empted at this stage, the current LTA consider that the issue of orbital connectivity may need to be addressed long-term and have raised concerns (as set out in their reg 19 response) that the plan does not safeguard against planned growth (including Land South of Gartree Road) being delivered in such a way as to fetter or frustrate the wider delivery of the SGP's A46 Priority Growth Corridor from a transport perspective. The Council has agreed proposed modifications to the plan with LCC to address this concern (HDC 9).

66. The policies map does not identify a safeguarded route as the form, route and design of any orbital connection around the south and east of Leicester is not currently known.

Q3. On the basis that the majority of new development, including both housing and employment, together with other ancillary mixed uses, is to be provided on green field sites, how are the locations which have been identified to be made sustainable to offer a genuine choice of transport modes to locations, both within and outside of the District? How is this to be paid for, and how will it be achieved? Has a consistent approach been taken to considering how on-site and off-site impacts are to be mitigated? How will the vision-led approach be achieved and how will that vision be set? Notwithstanding the Council's response in [HDC6] where the Council made clear that it was working on the premise of a vision-led approach is this consistent with a plan prepared under the NPPF 2023? If so, have fall back costs of schemes been prepared, were the mitigation works to reduce the impacts on the highways fail?

67. Section 6 of the Transport Topic Paper (Part 1) (HDC 10) explains how transport considerations, including access to jobs, services and facilities, have informed the plan from the earliest stages of plan preparation to ensure patterns of growth are actively managed to achieve the transport objectives in the NPPF23.

68. The evidence shows the plan focuses significant development in locations that are or can be made sustainable from a transport perspective. The NPPF para 109 requires significant development to be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. However, it also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. Harborough District is predominantly rural.

69. The evidence summarised in the Transport Topic Paper (Part 1) from para 6.52 (HDC 10) explains that the pattern of growth in the Local Plan creates significant opportunities for sustainable travel in these locations where active transport and public transport opportunities should be prioritised.

70. The Harborough Strategic Infrastructure Assessment (HSTIA) (TRP-NLP2) identifies a comprehensive package of site-specific walking and cycling, public transport and behavioural change measures (travel planning measures) to ensure genuine travel choice is delivered.

71. Each allocated site was examined to identify potential schemes to maximise accessibility by active travel (walking, wheeling and cycling) and public

transport (including travel planning). The approach aligns with DfT Circular 01/22 and 2023-NPPF paragraphs 114 and 116. The sustainable transport schemes are identified by site in HSTIA Table 4.2, Table 4.4 and 4.6 (TRP-NLP2). The total cost of the sustainable transport and behavioural change package for the District comes to £35,394,000. All of these schemes and associated costs are identified in the updated IDP (HDC11/HDC11A) on a site-by-site basis and are identified as 'integral' to the plan. The updated Whole Plan Viability Assessment (HDC12) shows the infrastructure that is 'integral' and 'fundamental' to the delivery of plan is viable.

72. Alongside this Policy DS05 in the submitted plan requires developers to *"… either provide direct provision or contribute towards the provision of local and strategic infrastructure to meet the needs from the development alone, or cumulatively with other developments as identified in the Infrastructure Delivery Plan*." This provides a direct link between the strategic infrastructure policy in the plan and the IDP to ensure appropriate sustainable transport infrastructure is delivered through the planning application process providing genuine travel choice as far as possible.

73. Alongside the HSTIA, the JTE Costing Mitigation Report [TRP-NLP4A in HDC19] considered potential mitigation measures at the strategic level across the whole of South Leicestershire. These schemes are also included in the updated IDP [HDC11A] as explained in the Transport Topic Paper (Part 2) (HDC 14) (see para 5.31-5.34; para 5.48 – 5.50; and 5.57 – 5.58). Funding for mitigation and complementary measures will be provided by a combination of sources:

- Developer contributions secured via S106/S278;
- Pooled funding secured via CIL;
- Local Transport Plan delivery including future LCWIP programmes;
- Bus Service Improvement Plan funding;
- Future government transport funding; together with
- Strategic infrastructure investment by National Highways and others.

74. The STIA was developed from the same transport modelling that was undertaken for the JTE project. In both projects the same consistent approach was taken, that aligns with DfT Circular 01/22 and 2023-NPPF paragraphs 114 and 116. In accordance with this for each modelled forecast year, the process began by identifying active travel and bus measures to form the foundation of the package. Road-based measures were only considered after sustainable modes had been fully explored, focusing on whether they were necessary to address residual impacts.

75. Whilst the NPPF 2024 formally introduced the vision-led approach, emphasising the shift away from a 'predict and provide' approach to site mitigation, in practice the vision-led approach of prioritising non-car modes was already well established as a means to address the highways impacts of development in areas with constrained highway networks with either limited physical or fiscal capacity to delivery road improvements. Whilst highlighted in subsequent editions of the NPPF, the vision-led approach is appropriate in this District where the networks already have some congested areas but there is obvious scope to deliver a vision-led approach to mitigation through prioritisation of non-car modes.

76. Within Stage 2 of the JTE study, the principles of a vision-led approach, in terms of prioritisation of transport mitigation, were incorporated into the transport modelling over the South Leicestershire study area. The purpose of this was to establish the potential scale of change in network performance that could be achieved across the study area and also to highlight the residual highway issues that would need to be treated through traditional traffic management/engineering means. These measures formed the basis of the scenarios modelled for the 2036 forecast year. Detail on how these measures were modelled are contained in Appendix C of the JTE Stage 2 report. It is important to note that the impacts of the vision-led elements of the scenario were not applied on a blanket basis but were targeted at model zones/locations which had a higher propensity to shift to active travel or public transport based upon journey purpose, trip lengths and proximity to public transport (bus) routes. This can be seen in Figure D-2 from the JTE Stage 2

report, which is reproduced below:

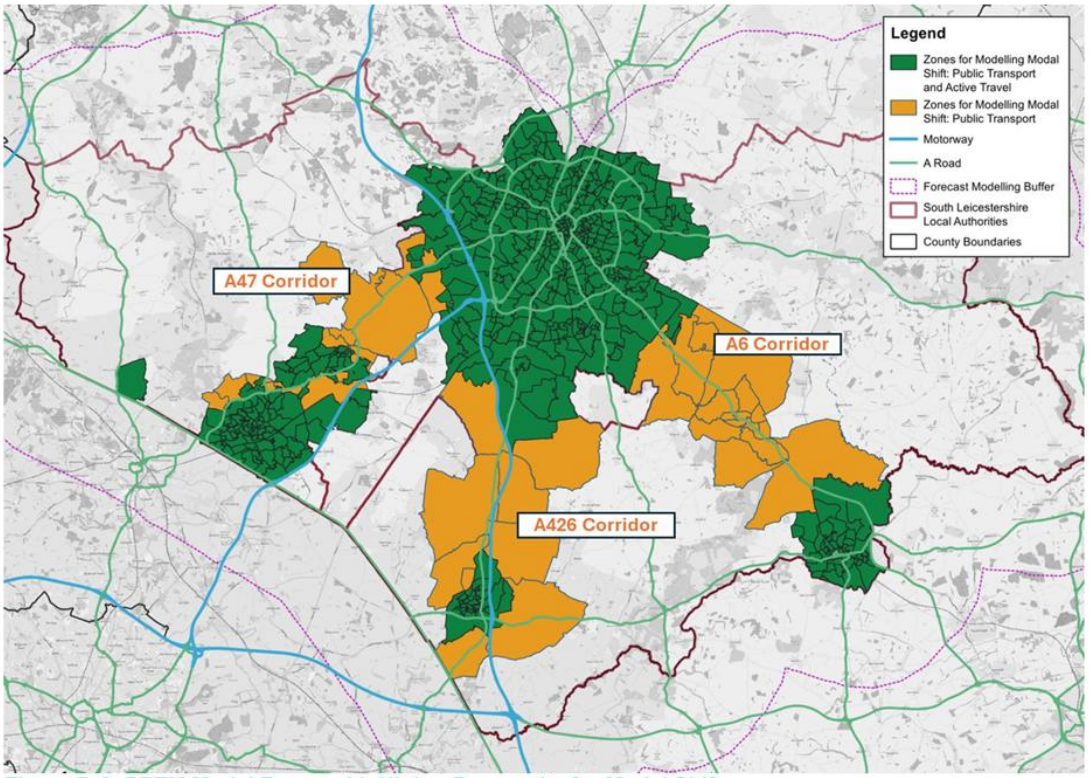


Figure D-2: PRTM Model Zones with Higher Propensity for Modal Shift

77. The modelling that was undertaken for the JTE showed that prioritising active travel, and public transport supported by behavioural change programmes (which would be expected to be core components of a high-quality transport vision) can have a positive impact on highway network performance across the study area. It was noted that delivering this approach alongside targeted local highway measures had a greater impact within the 2036 scenarios that were modelled.

78. There is therefore the prospect that more ambitious site-specific transport visions will be developed under a full vision led approach that is new NPPF compliant and achieve better outcomes than that assumed in the strategic level JTE work.

Q4. The Statement of Common Ground with National Highways [SCG-NLP25] refers to no soundness concerns subject to on-going engagement. What does this mean in practice?

79. The Council and National Highways engage with each other (and other stakeholders) on an ongoing basis, including through:

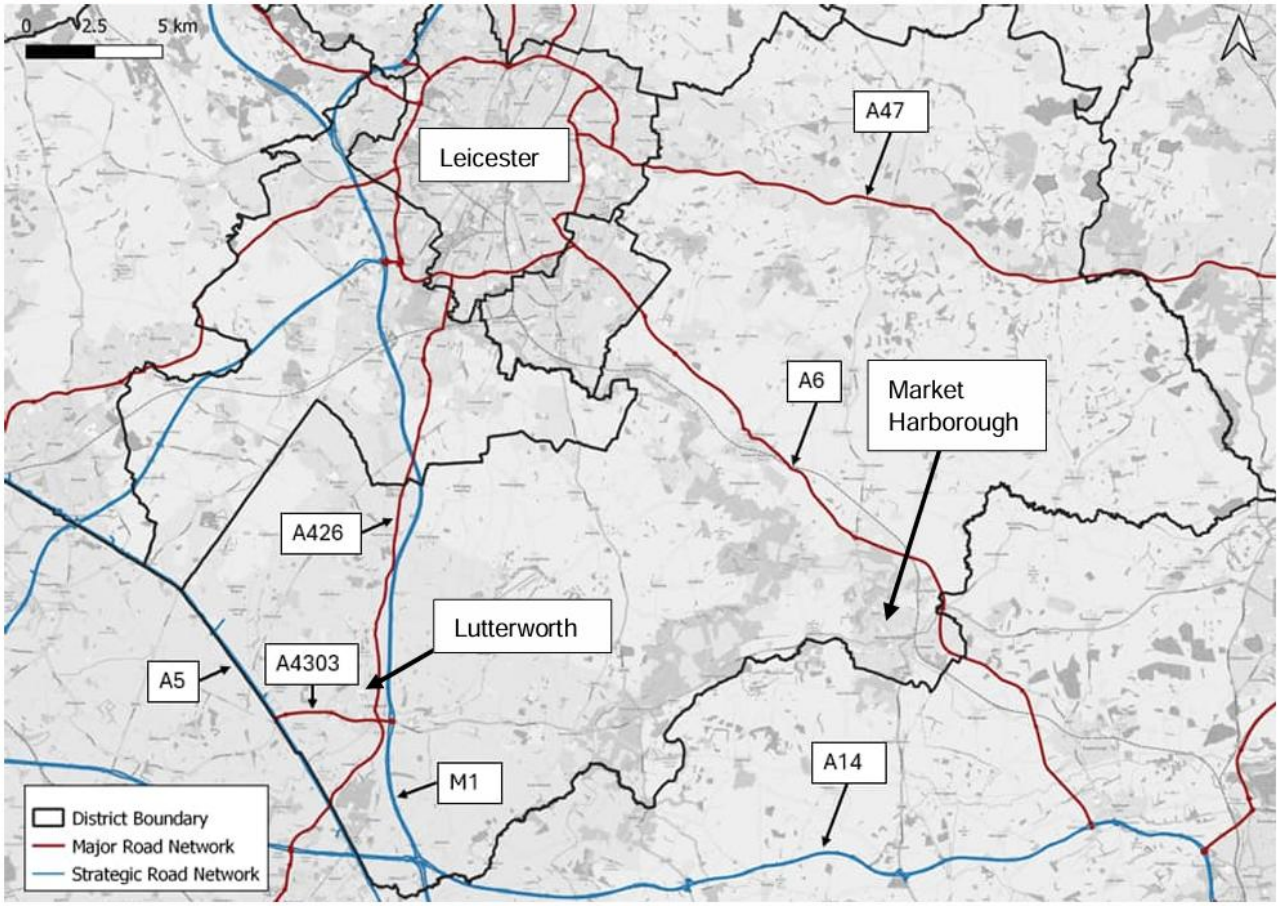
- The A5 Partnership Officer Group.
- The A5 Partnership Members Group.
- The A5 Gibbet Hill Roundabout Stakeholder Reference Group.
- The A5 Dodwells to Longshoot Stakeholder Reference Group.
- Responses to National Highways Consultation on RIS proposals.
- The Local Plan process (including evidence gathering - e.g. the JTE, Statements of Common Ground and formal reg 18 and reg 19 consultations).
- Planning Applications in the vicinity of the Strategic Road Network.
- Informal contact as appropriate.

80. In this respect, there are clear pathways for ongoing and active engagement between the Council and National Highways (and LTAs) beyond the local plan process. This ensures National Highways are aware of what is happening in the District, and the Council is aware of and can feed into National Highways processes effectively.

Q5. It also states that the A5 and M1 are the only elements of the SRN that can be accessed from the District. Does this mean that development within the District would have no impact on the rest of the SRN?

81. The following diagram extracted from the Harborough Strategic Transport Impact Assessment [TRP-NLP2] illustrates the location of the SRN and Major Road Network within the district.

Figure 3.7: SRN and MRN Network – Harborough District



82. The A5 and M1 can be accessed directly from the district, either through junctions that are physically located within the district (e.g. M1 Junction 20) or by traffic travelling from Harbourough through adjoining districts to reach the SRN at other locations, such as M1 Junction 21.

83. The A14 (east of M1 Junction 19) and M6 (west of M1 Junction 19) pass to the south of the district and are accessible from the A5199, A426, A508 and A6 outside of the district. However, the JTE work did not flag any issues on these stretches of the SRN.

84. Therefore, the only parts of the SRN that are shown to be affected are the A5 and M1.

Q6. Is it appropriate to defer transport impacts such as consideration of the impact of developments on the SRN to planning application stage? For example, with reference to allocations MP1 and MP2, there is a clear issue of existing congestion on the A5 with the Gibbet Road Roundabout working at 98% capacity [INF-NLP2].

85. The consideration of transport impact and mitigation in the planning system happens during the plan making and decision taking stage. The approach is proportionate to each stage. Plan-making evidence is more strategic and considers cumulative impacts and mitigation at a high level appropriate to local plans. The Development Management process requires a detailed and site-specific TA (taking into account local plan evidence as appropriate). Ultimately it is the detailed TA process that will determine the exact nature and phasing of transport infrastructure, taking into account the more strategic local plan evidence. Given the different approaches, it is possible the detailed TA process could identify the need for mitigation which is different (to a degree) from the strategic modelling which is proportionate to local plans. This is a normal approach to addressing transport matters through the planning system.

86. The JTE study team were informed by National Highways that any proposed improvements on the SRN would need to be considered through the RIS process. National Highways also highlighted that the capital constraints within the RIS programme meant that we should not assume any SRN improvements over the next ten years.

87. Within the JTE Stage 2 report it was recognised that there are pre-existing issues on the SRN (including at Gibbet Roundabout) that would require significant investment, therefore proposed mitigation focused on addressing impacts from new local plan growth that were proportionate in scale. However, the JTE Stage 2 also considered the need for strategic scale interventions at points on the SRN to address pre-existing problems and support further growth on large sites, which have capacity to grow beyond post 2041 and form part of the longer-term spatial plans for housing delivery. SRN interventions were therefore tested in the long-term 2051 package. Therefore, there is an implicit assumption that there will be no SRN schemes within the draft local plan period and National Highways have agreed this approach is acceptable.

88. The position agreed with National Highways (and recorded in the SoCG SCG-NLP25) is therefore that no specific SRN mitigation has been identified at this stage. The SoCG also recognises that any impacts on the SRN are likely to become more pronounced towards the latter part of the Plan period.

89. Because the modelling undertaken to date has been prepared on the basis of no SRN mitigation being assumed. The assessment therefore does not rely on unidentified strategic highway improvements in order to reach its conclusions. As a result, the forecast effects on the Local Road Network (LRN) should reasonably be understood as representing a robust worst-case scenario. This provides a cautious basis for assessment and ensures that the Plan has not been progressed on the basis of speculative or uncommitted SRN interventions.

90. The Council has maintained regular and constructive engagement with National Highways throughout the preparation of the Plan. They are fully aware of the challenges on their network and through that ongoing dialogue, it is understood work is continuing in relation to potential SRN schemes and that National Highways will be better placed, later in the Plan period, to determine whether more strategic interventions will go ahead to resolve pre-existing issues in the area and, if so, the nature and scale of any such intervention. Importantly, National Highways has confirmed that the JTE evidence base, as presented, is appropriate and proportionate for plan-making purposes and are not objecting to any allocations in local plan.

Q7. Notwithstanding, its robust representation objecting to the allocations at Magna Park, our understanding from [SCG-NLP25], National Highways now agrees in principle the allocations should move forward. Is it appropriate where the allocation is a 'potential concern' to rely on further assessment at the planning application stage? Is there a realistic prospect of the requisite highway improvements coming forward over the Plan period and is the construction of the warehousing dependent on the highway improvements?

91. National Highways Regulation 19 response was submitted during the consultation from March to May 2025 (See Appendix B of the SCG-NLP25). The response says "Based on our review of the Harborough Local Plan 2020-2041 document, reports and other supporting documents, we have identified the items below where further information is required to help support the development of the draft plan." It goes on to identify sites considered a 'potential concern' including MP1 and MP2, and that they would like to see the evidence base for these sites and any plans for mitigation on the SRN.

92. The NH reg 19 response was made prior to completion of JTE (Stage 2) (TRP-NLP5) and associated Costing Mitigation Report [TRP-NLP4A in HDC19] which they fed into through the associated workshops. The Statement of Common Ground [SCG-NLP25] was agreed prior to submission in April 2026 after the JTE evidence was complete.

93. As set out in response to Matter 10, Issue 1, Policy DM06 Transport and Accessibility, Question 1 and 6 above, the impacts of local plan growth were modelled through the JTE on the basis of no SRN Mitigation up to 2041 following advice from National Highways.

94. The Statement of Common Ground between National Highways and HDC (April 2026) [SCG-NLP25] confirms NH consider the evidence proportionate to Local Plan-making and have not raised any concerns with the JTE evidence, including that no SRN mitigation is identified/required up to 2041. However, the SoCG does not rule out the prospect of SRN contributions through the more detailed development management process. This is because the evidence produced is proportionate to the local plan process and the policies in the plan therefore require planning applications to be supported by detailed TAs. This process will determine the exact nature and form of any mitigation on a site-by-site basis, taking into account the more strategic local plan evidence.

Q8. The evidence suggests that many of the junctions within the District are operating close to capacity [TRP-NLP5] with particular issues highlighted along the A5 and A6, and with further impacts forecast on roads lower in the hierarchy as the Plan period unfolds. To what extent are the policies of the Plan, including site allocations consistent with paragraphs 108-117 of the NPPF?

95. Harborough District is a predominantly rural area and the level of congestion reflects this. The extracts from the JTE, below, show the amount of junctions at or nearing capacity is lower than other more urban areas in South Leicestershire which is to be expected given the more rural nature of the District. This is important to bear mind when it comes to transport considerations as recognised by NPPF para 109. The JTE provides a consistent means of comparison. It shows for example, there are isolated junctions in Market Harborough and Lutterworth, with two junctions on the A5 (Gibbet Hill & Coventry Road) being flagged in the JTE stage 2 modelling work. This is illustrated in the following figure extracted from the JTE Stage 2 report.

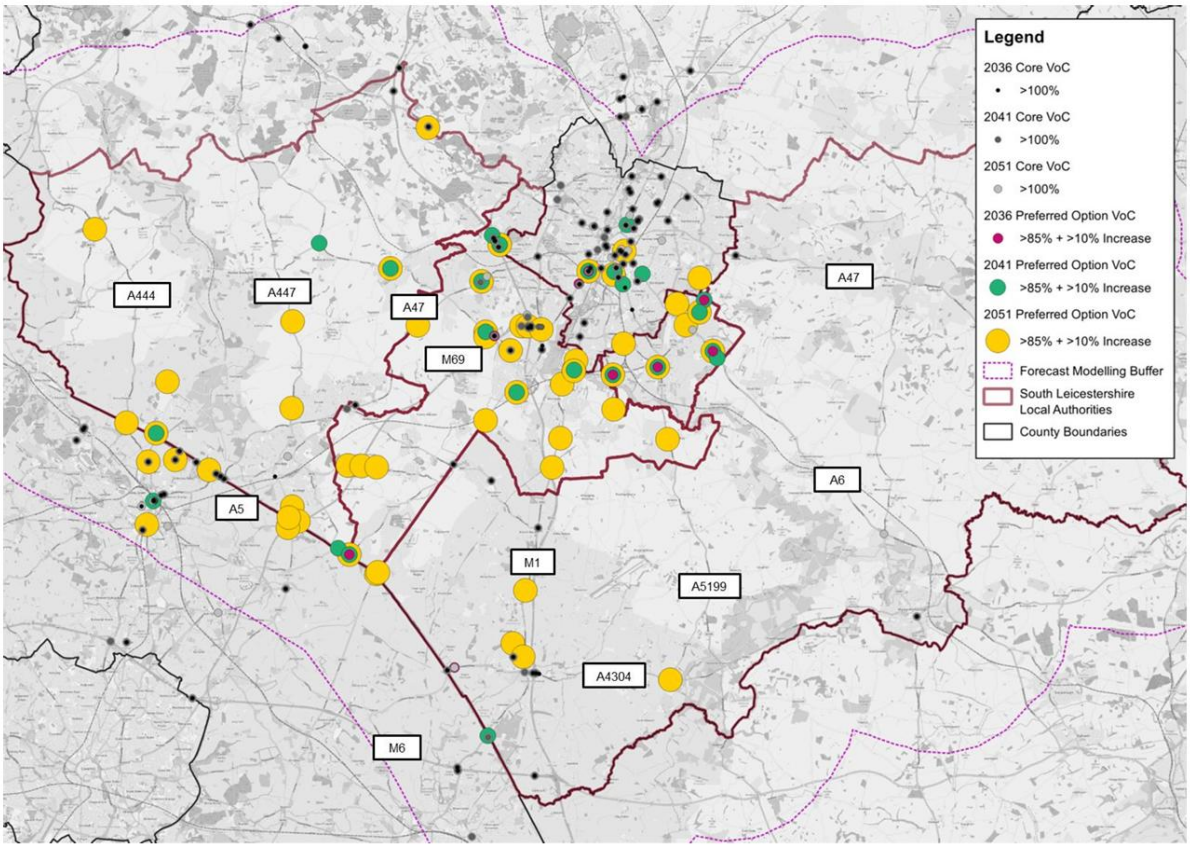


Figure 3-1: Volume over Capacity 2036, 2041, 2051 Spatial Distribution

96. The figure 3-1 from the JTE Stage 2 report highlights that it is only in the 2051 forecast scenarios that you start to see more junctions flagged. In the 2041 scenario that is relevant for this Local Plan, it is only the A5 Gibbet Hill junction that is flagged in the 'with development' preferred scenario.

97. This is further illustrated in Figure 3-2 (see below), again extracted from the JTE Stage 2 report. This shows that for the 2041 Am Peak scenario the change in delays between the core and preferred (with development) scenarios. As can be seen across the district there are relatively few links that are flagged as having increased delays. Note that the length of the red line represents the length of the road section that is contained within the model and not the extent of the delays.

98. A final extract from the JTE Stage 2 report (Figure 5-21 below) shows the impact of the application of the 2041 mitigation package on the district in the AM and Peak periods. The figure shows that there is a resolved junction VoC (Volume over Capacity) issue in Market Harborough, together with unresolved issues on the A6 at Great Glen, in Lutterworth and on the A5 (including the Gibbet Hill and Coventry Road junctions). Note that the 2041 modelled scenario did not include any improvements to the SRN.

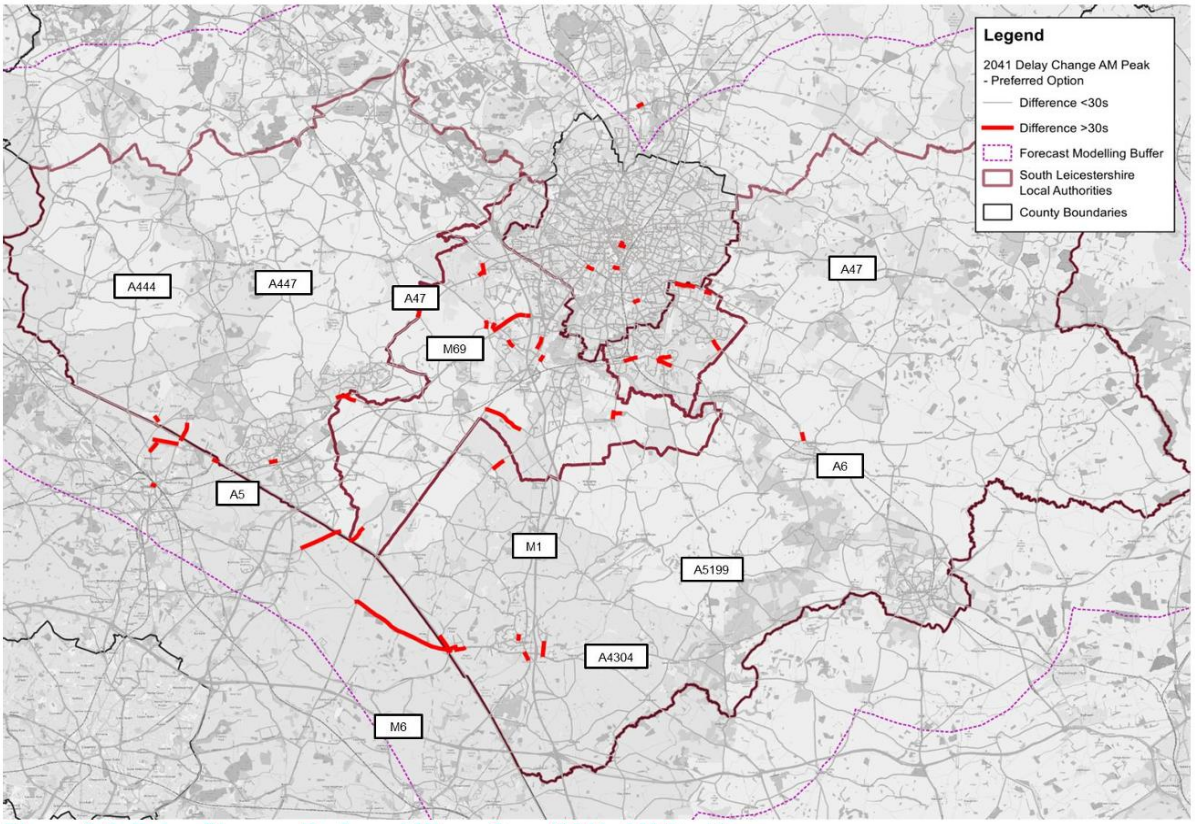


Figure 3-2: Delay Change, Preferred Minus Core (2041, AM Peak)

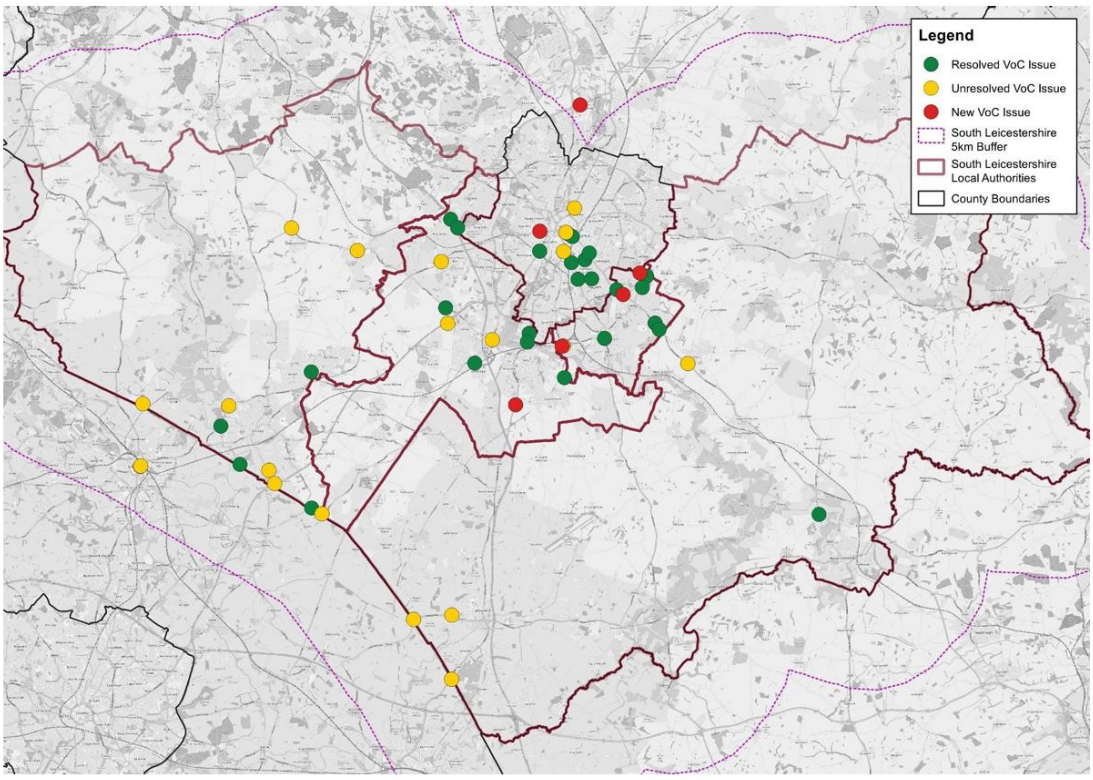


Figure 5-21: Geography of Impacts - 2041 Mitigation Package Performance, Volume over Capacity, AM and PM Peak

99. The Council acknowledge there are challenges on parts of the highway network in the District, particularly long-term. However, the evidence shows the road network is generally less congested than other more urban authorities reflecting the rural nature of the District. This does not mean that parts of the network do not suffer from congestion. The Table below sets out the extent to which the policies in the plan are consistent with NPPF para 108 – 117:

NPPF	Plan response
NPPF para 108 to 109	The Transport Topic Paper (Part 1) [HDC10] from para 5.1 to 6.72 explains how the location of development is consistent with NPPF para 108 and 109.
NPPF para 110 (a, b, d, e, f)	110(a) The policies in the plan support an appropriate mix of uses across the area including at large sites. Para 5.1 – 6.72 of the transport Topic Paper explains how development has been located to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities. The plan also promotes large mixed-use developments in locations that minimise the number and length of journeys, as they are in sustainable locations and have the critical mass to deliver infrastructure on site helping to internalise trips and enable walking, cycling and public transport to be designed in from the outset, including at LSGR (Policy SA01) Market Harborough North (Policy SA03) and Scraptoft East (Policy SA04). 110(b) the policies in the plan (including proposed modifications) have been prepared with the active involvement of the local highway authority, and neighbouring councils as set out in transport evidence and SoCGs. 110(c) the proposed modifications agreed with the LTA (HDC2 Appendix 1 see MM13.6 and MM29.1) seek to protect a potential orbital route in a proportionate way.
NPPF para 111 and 112	The plan does not propose parking standards and the NPPF does not require it to.
NPPF para 113	The policies of the plan do not currently require the strategic distribution allocations (MP1 and MP2) to make provision for sufficient lorry parking to cater for their anticipated use. A modification may be required to Policy SA01 to reflect this should the Panel consider it necessary for soundness.
NPPF para 114 (a, b, c, d)	114(a) the plan seeks to ensure allocated sites take up appropriate opportunities to promote sustainable transport modes. The evidence underpinning the plan including the HSTIA [TRP-NLP2] is consistent with the policy in the NPPF. It proposes a comprehensive package of site-specific sustainable transport measures which are identified as 'integral' to the delivery local plan growth in the IDP [HDC11A]. Policy DS05

	requires development to provide local and strategic infrastructure including as identified in the Infrastructure Delivery Plan. Policy DM06 also requires development to provide active travel measures and public transport enhancements. 114(b) site access for each allocated site has been considered from para 7.3.1 and Appendix G HSTIA [TRP-NLP2]. 114(c) Policy DM01: High Quality Inclusive Design deals with matters of design. Explanatory text para 8.3 refers to further national guidance including the National Design Guide, National Model Design Code and Natural England's Green Infrastructure Planning and Design Guide. 114(d) The Transport Topic Paper (Part 2) [HDC14] explains how the evidence has considered the impacts on the transport network and been used to identify the mitigation package in the updated IDP [HDC11a]. The updated Whole Plan Viability Assessment [HDC12] indicates the schemes fundamental and integral to the delivery of the local plan are viable. The impacts can therefore be cost effectively mitigated to an acceptable degree.
NPPF para 116 (a, b, c, d, e)	116(a) – Policy DM06(2) requires all development to incorporate measures for active travel and public transport improvements to encourage sustainable travel. 116(b) Policy DM01(1): High Quality Inclusive Design requires development to be ensure a good quality experience for all users and be easy to use for all, including people with disabilities, elderly and others with reduced accessibility. Policy DM01(2)e ensures safe and accessible movement for all users, including promotion of sustainable transport. 116(c) Policy DM01(1) High Quality Inclusive Design requires development to be ensure a good quality experience for all users 116(d) the plan does not refer to emergency vehicles and may need to be modified if the panel consider this necessary for soundness. 116(e) Policy DM06(2)e: Transport and Accessibility ensures car parking provision provides EV charging points.
NPPF para 117	Policy DS05 (as proposed to be modified in HDC2 Appendix 1 MM11.3) would require development proposals to be supported by a robust travel plan and robust transport assessment of the impact of the development on the road network, including its relationships to any identified significant

	cumulative and/or cross-boundary traffic impacts, and that demonstrates such impacts can be proportionately and appropriately mitigated.

Q9. Where strategic sites are only required to contribute to targeted site-specific infrastructure could this approach result in off-site cumulative impacts of the developments proposed within the Plan not being adequately addressed? How would the Council respond at the planning application stage were the cumulative impacts following mitigation considered severe?

100. Policy DS05 (as proposed to be modified in HDC2 Appendix 1 MM11.3) includes a transport section which has been agreed with the LTA. It includes the requirement for:

- Development proposals to be supported by a robust travel plan and robust transport assessment of the impact of the development on the road network, including its relationships to any identified significant cumulative and/or cross-boundary traffic impacts, and that demonstrates such impacts can be proportionately and appropriately mitigated.
- Where a transport assessment indicates that a proposed development will have an impact on significant cumulative traffic conditions across the District and/or indicates cross-boundary impacts, a proportionate contribution will be required to the reasonable costs of measures required to mitigate such impacts either through a financial contribution, community infrastructure levy or scheme delivery.

101. It is considered that Policy DS05 with these modifications would ensure off-site cumulative transport impacts of development are appropriately addressed on all sites should the Panel consider them necessary for soundness.

Q10. Where mitigation is required, does the evidence demonstrate that the funding can be secured either through s106/s278, CIL or other sources of funding? TRP NLP2 (January 2025) suggests at least £91 million of transport costs related to the Plan, excluding on-site costs for the largest sites, and strategic infrastructure. Similarly, the more recent TRP- NLP4 (April 2026) suggests a cost of almost £84 million over the Plan period for transport mitigation excluding a new junction on the M1. The most recent evidence set out in the Transport Topic Paper- Part Two suggests a figure of £46,647,698 [HDC10]. However, this figure only relates to integral and fundamental schemes. Why is there such a difference in costs and what is the significance thereof in ensuring that the developments proposed in the Plan can be delivered and are consistent with the objectives of the NPPF?

102. Yes. The January 2025 VA [INF-NLP3] and the October 2026 addendum have demonstrated that the integral and fundamental infrastructure outlined in the IDS [HDC11A] is viable without other funding sources.

103. In terms of transport mitigation costs, all of the active travel, and public transport (including travel plan measures) identified in the HSTIA and JTE are included in the updated IDP. The Transport Topic Paper (Part 2) [HDC14] explains how these have been prioritised to ensure the objectives of the NPPF are achieved. The Council's response to Matter 6, Issue 2, Q6 also provides further information.

104. The active transport mitigation in the HSTIA is identified as 'Integral' to the plan in the IDP update whereas the active travel mitigation in the JTE is identified as 'beneficial'. This is because HSTIA took a more detailed approach to the issue of understanding sustainable transport impacts and mitigation across the district by considering in detail the existing walking, cycling and public transport networks. It looked at facilitation measures that could be adopted on a site-by-site basis to maximise accessibility via sustainable transport. This identified:
    - £29m of walking and cycling measures;
    - £5.4m of public transport measures; and
    - £0.8m of travel planning/behavioural change measures

105. On the other hand the JTE Costing Mitigation has taken a more strategic top-down approach. This identified
    - £81.2m of walking and cycling measures

- £2.35m of public transport measures (£1,221,135 for buses and £1,124,855 Mobility Hub at Market Harborough Rail Station).

106. The most notable difference between the HSTIA and the JTE is the significant difference between the cost of the walking and cycling measures. This is primarily because the Active Mode measures in the JTE were developed on the basis of completing LCWIP networks across South Leicestershire. There is not a LCWIP in development for Lutterworth – so the study developed a conceptual LCWIP network for the town and used this as the basis for estimating the cost of this scheme as part of the wider active travel measures across South Leicestershire. The total cost of this scheme is as shown in the table below as 'Route AF' along with the other JTE active transport measures:

JTE - HDC Active Transport Infrastructure

JTE Route*	Settlement	Cost (£)
Route AF	Lutterworth	56,008,197
Route AH	Market Harborough	4,375,814
Route AI	Market Harborough	5,646,101
Route AJ	Scraptoft	4,875,699
Route AK	Thurnby/Bushby	6,537,022
Route V	Oadby	3,800,261
	TOTAL	81,243,094

* See JTE Costing Mitigation Figure 2-4 for Map of the Route

107. This cost of the LCWIP scheme in Lutterworth (Route AF comes to £56m) which skews the walking and cycling costs in the JTE for the District and is not proportionate to the limited scale of growth proposed in the town. It should be noted there is significant overlap between the routes identified in the JTE above and walking and cycling mitigation in the HSTIA. Elements of all the routes above (apart from Route AI) are identified in the walking and cycling mitigation package in the HSTIA. For example, Route AJ would link site allocation S2 to the village centre in Scraptoft. The HSTIA identifies a Strategic Cycle Route (Site to Local Centre and Cycle Signage) at a cost of £1,020,000. Route AH links Market Harborough North towards the Town Centre. The HSTIA identifies Cycle Superhighway (Harborough Road / Leicester Road) Crossing Upgrade (Harborough Road / Wellington Way & Leicester Road / Alvington Way) with a cost of £10,344,000. The cost is greater than the JTE as the HSTIA scheme is more comprehensive.

108. The Transport Topic Paper (Part 2) sets out the approach and prioritisation for all of the transport mitigation that has been identified in the evidence. This approach is considered to be justified and seeks to ensure the objectives in the NPPF are achieved, whilst also avoiding double counting costs for fundamental and integral infrastructure.

109. The Transport Topic Paper (Part 2) explains the approach to off site Local Highway mitigation and costs which is identified in Preliminary Scheme Design (Local Highways) evidence.

Q11. Is it appropriate in the most recent iteration of the transport evidence [HDC13], which we note has not been agreed with the Highway Authority, that a number of schemes are excluded, including those on the SRN?

110. Yes, the JTE study team were informed by National Highways that any proposed improvements on the SRN would need to be considered through the RIS process. National Highways also highlighted that the capital constraints within the RIS programme meant that we should not assume any SRN improvements over the next ten years.

111. Within the JTE Stage 2 report it was recognised that there are pre-existing issues on the SRN that would require significant investment, therefore proposed mitigation focused on addressing impacts from new local plan growth that were proportionate in scale. However, the JTE Stage 2 also considered the need for strategic scale interventions at points on the SRN to address pre-existing problems and support further growth on large sites, which have capacity to grow beyond post 2041 and form part of the longer-term spatial plans for housing delivery. SRN interventions were therefore tested in the long-term 2051 package. Therefore, there is an implicit assumption that there will be no SRN schemes within the draft local plan period and National Highways have agreed this approach is acceptable.

112. The position agreed with National Highways (and recorded in the SoCG SCG-NLP25) is therefore that no specific SRN mitigation has been identified at this stage. The SoCG also recognises that any impacts on the SRN are likely to become more pronounced towards the latter part of the Plan period.

113. It should also be emphasised that the modelling undertaken to date has been prepared on the basis of no SRN mitigation being assumed. The assessment therefore does not rely on unidentified strategic highway improvements in order to reach its conclusions. As a result, the forecast effects on the Local Road Network (LRN) should reasonably be understood as representing a robust worst-case scenario. This provides a cautious basis for assessment and ensures that the Plan has not been progressed on the basis of speculative or uncommitted SRN interventions.

114. The Council has maintained regular and constructive engagement with National Highways throughout the preparation of the Plan. Through that ongoing dialogue, it is understood that work is continuing in relation to potential SRN schemes and that National Highways will be better placed, later in the Plan period, to determine whether more strategic interventions will go ahead and, if so, the nature and scale of any such intervention. Importantly, National Highways has confirmed that the JTE evidence base, as presented, is appropriate and proportionate for plan-making purposes.

115. On this basis, a total of 27 LRN junctions were identified for further investigation through the STIA and JTE evidence base. To provide a consistent evidence base the Preliminary Scheme Design (Local Highways) (HDC13) used the PRTM traffic flows (both with and without the Local Plan), to assess the effects of the Local Plan allocations at these locations in more detail.

116. Of the 27 Junctions identified, five junctions showed no significant change in flow, three were within Leicester City where no concerns had been identified through the JTE evidence, and one had no cost-effective mitigation solution.

117. For the remaining junctions, PRTM flows informed more detailed junction assessments. This is a standard and robust approach: strategic modelling is used to identify cumulative impacts across the network and highlight potential mitigation locations, while detailed junction modelling is then used to assess those locations more precisely and identify more specific mitigation.

118. Strategic modelling is well suited to understanding network-wide patterns and cumulative effects, but it is not designed to determine the detailed form or necessity of mitigation at individual junctions. The location-specific assessments set out in HDC13 therefore provide a more robust basis for evaluating operational performance and refining mitigation requirements.

119. Accordingly, where the detailed modelling reaches different conclusions from the strategic model, this should be understood as a normal and necessary refinement of the evidence base rather than an inconsistency.

Q12. How have the twin issues of an already highly congested road network together with an undeveloped public transport and walking and cycling infrastructure been reconciled?

120. NPPF para 109 requires significant development to be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes, however, "*opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making*."

121. Harborough District is a predominantly rural area and the level of congestion reflects this. The extracts from the JTE in Matter 10, Issue 2, Question 8, above, shows the amount of junctions at or nearing capacity is lower than other more urban areas in South Leicestershire which is to be expected given the more rural nature of the District. The rural nature of the District means that sustainable transport networks are less developed in some parts of the District, with commercially viable public transport routes limited in large areas of the District. This requires development to be focussed in locations adjacent to the existing urban areas as these are more readily served by existing and extended public transport services and is easier to link into existing walking and cycling routes.

122. These issues have been considered in a number of ways.

(i) The Spatial Strategy – the Transport Topic Paper (Part 1) shows how development has been focussed towards locations that are or can be made sustainable creating opportunities for sustainable travel. Several allocations are of a scale that is likely to provide the funding and critical mass for new/improved sustainable transport measures with the opportunity to design-in sustainable transport networks.

(ii) The County Council's Local Transport Plan will continue to invest in the transport network over time through the Bus Service Improvement Plan (BSIP), Local Cycling and Walking Infrastructure Plan (LCWIP) and Multi-Modal Area Investment Plans (MMAIP). Whilst these measures are not designed to mitigate any specific development impacts, they will nevertheless provide improvements that will be broadly aligned with the types of measures that will form part of site specific or more strategic mitigation measures.

(iii) We have prioritised sustainable transport mitigation measures in line with the Vision-Led approach within the JTE project and STIA. This assumes that site specific active travel and public transport measures will play a significant part in mitigating the impact of the sites on the road networks supported by a site-specific behavioural change programme.

(iv) Behavioural change programmes are an integral part of the site-specific mitigation measures. LCC's Planning Obligations Policy (2019) includes for securing costs associated with behavioural change programmes such as Leicestershire's Choose How You Move scheme. These costs can be broadly split between travel planning activity (welcome packs, for new residents etc) and ongoing travel plan monitoring costs. The STIA included a behavioural change programme as part of the mitigation for each proposed site.

(v) The phasing of measures. The JTE work made the following assumptions:

- Up to 2036, sites will implement active travel, public transport and associated behavioural change measures, together with any urgent locally focused highway measures that are required on the Local Road Network.
- Between 2036 and 2041 more strategic mitigation measures that have been identified will be implemented on the Local Road Network.

During the proposed plan period therefore, mitigation measures will focus on Active Travel, Public Transport and behavioural change, building on top of enhancements that LCC will provide through their BSIP, LCWIP and MMAIP programmes. During the plan period it is anticipated that localised mitigation measures will be required for locations identified on the Local Road Network as identified in the Preliminary Scheme Design (Local Highway) evidence.

Q13. Does Policy DM06, and other policies of the Plan ensure it is clear to decision makers, developers and the local communities what is required in terms of the Transport Assessments and Travel Plans and the mitigations required as part of development proposals? Does the evidence which has supported the plan making process adequately demonstrate that the allocations will be able to realistically be accessible to alternatives to the private car, and such alternatives will be attractive and not be treated as a form of transport for leisure activities? How does the wording of the policy ensure that it seriously implements NPPF paragraphs 114 and 116 and prioritises pedestrian and cycle movements, then access to public transport and private vehicles?

123. Yes – there is a clear requirement for Transport Assessments for major sites, travel plans and provision of measures to encourage and support mobility by active travel and public transport.

124. Within the STIA it was assumed that walking and cycle connections would be required to existing infrastructure (where this exists) and, for larger sites, provision would also be needed to connect to local services and facilities. Within the JTE Mitigation Costing Exercise, walking and cycling routes were developed based upon them linking to trip attractors such as education institutions, hospitals, GP surgeries, supermarkets, and rail stations. Walking and cycling measures were also targeted at shorter distance trips (less than 10km) which research has shown have the highest propensity to shift to walking and cycling. For public transport was tightly focused on journeys that were less than 20km and linked to key corridors with a primary focus along the A426 and A6 corridors supporting trips to Leicester, Lutterworth and Market Harborough. All of these factors point to the primary purpose of the measures being to target commuting and trips to local services (education/shopping etc.). The facilities could be used as part of leisure activities, and that would be welcomed, but it is not their primary purpose within the mitigation strategy.

125. The table in the Councils response to Matter 10, Issue 1, Policy DM06 Transport and Accessibility, Question 8 sets out how the policies in the plan seek to meet the requirements of the NPPF, including para 114 and 116.

Q14. Policy DM06 appears to refer to other standards and guidance, including parking standards. Where, and what are they? Are they consistent with NPPF paragraphs 108-117?

126. DM06.1b) is referring to Leicestershire County Council's Leicestershire Highway Design Guide. This covers advice on highway design, including car parking, transport assessments and transport plans. These documents are the starting point for detailed agreement on development proposals and include car parking standards to be applied in new developments.

127. While the Local Highway Authority's focus is on prioritising the safety and efficiency of the transport network, the Highway Design Guide is updated regularly and reflects national policy and guidance's increasing emphasis on the wider role highways should play in delivering attractive, accessible places that offer benefits for the environment and health and well-being.

128. Parking standards, specifically referred to in DM06.2e), form part of the Highway Design Guide.

129. As the Highway Design Guide is updated regularly, it consistent with the NPPF and associated guidance. It was last updated in December 2024.

Q15. Is the reference to Travel Plans and Transport Assessments together with site specific reference to transport related infrastructure consistently applied throughout the policies of the Plan?

130. The Council has agreed proposed modifications to Policy DS05 (See HDC2 Appendix 1 MM11.3) which requires development proposals to be supported by a robust travel plan and robust transport assessment of the impact of the development on the road network, including its relationships to any identified significant cumulative and/or cross-boundary traffic impacts, and that demonstrates such impacts can be proportionately and appropriately mitigated. This would apply to all development sites and ensure a consistent approach is taken.

Q16. What is the role of Leicester Airport with reference to the transport links and economy of the District and the sub region? Is it effective for the airport policy to be subsumed within policy DM13?

131. Dating from 1942, Leicester Airport (or Airfield) is an aerodrome operated by the Leicestershire Aero Club. It provides for elementary flight training and experience flights as well as being home to a variety of private aircraft. While the airport has a CAA Ordinary Licence that allows flights for the public transport of passengers, the airport does not currently operate public transport services. A helicopter facility also operates from the aerodrome.

132. While the aerodrome is an asset in terms of the local economy, including supporting business, leisure and training, it plays a modest role in terms of wider sub-regional economy and transport links. East Midlands Airport, some 20 miles to the north of Leicester, operates as an international airport and significant cargo hub and plays an important sub-regional/regional role.

133. However, NPPF23 (para.110, criterion f) is clear that policy should recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time. Policy DM13 aligns with these aims and allows for development which would support the operational use of the airfield, including improvements to the control tower/runways, ancillary uses and the conversion of or re-use of existing permanent buildings within the boundary as shown on the Policies Map.

134. The Council considers that Part 5 of DM13 is effective in setting out policy for Leicester Airport which supports its role in the local economy including serving business, leisure and training needs.

Q17. In Part One of the Transport Paper [HDC10] the Council has stated without significant changes in behaviour there are limitations in the efficacy of mitigation of development, and in the case of Harborough there will be inevitable further issues on the road network. If that is the case, on what basis will developments be determined and funding demanded and what level of congestion will be deemed acceptable?

135. This section of the Transport Topic Paper (Part 1) [HDC10] is explaining the long-term strategic context facing the country and the Leicester & Leicestershire as a whole. This is why there is such a strong emphasis

nationally on the vision-led approach to transport planning and the increasing emphasis and prioritisation on sustainable transport. It is not a situation that is unique to Leicester and Leicestershire as explained in the topic paper itself.

136. There is not a mechanism to identify an acceptable level of congestion, the test for acceptability should be that set out in the 2023-NPPF paragraph 115:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Q18. In overall terms, is the approach of the transport related policies of the Plan justified, effective and consistent with national planning policy?

137. Yes. The responses above demonstrate the transport related policies are justified, effective and consistent with national policy.

Q19. Are there any MMs required for the Plan to be found sound?

138. Proposed Modifications are set out in HDC2 Appendix 1 (some of which relate to transport) should the Panel consider them necessary for soundness.

Matter 10, Issue 1: Development Standards

Policy DM07 Managing Flood Risk

The Council's response:

Matter 10, Issue 1, Policy DM07 Managing Flood Risk

Q1. Is the Plan effective in reducing or avoiding the risk of flooding to new development? Where development has to be in an area at risk of flooding, would it be safe for its lifetime and avoid increasing flood risk elsewhere?

139. Yes, the Plan is effective in reducing and avoiding the risk of flooding to new development. The policy accords with paragraph 165 of NPPF 2023 and has been informed by the Strategic Flood Risk Assessment EN-NLP6, EN-NLP7

and EN-NLP8 which assessed the levels of flood risk across the district. The policy directs development towards those areas that are at the least risk of flooding, prioritising Flood Zone 1, it also requires site specific flood risk assessments for Flood Zones 2 & 3 and limits the types of development permitted in Flood Zone 3.

140. The policy requires that the sequential test is applied to the location of development and where necessary the exception test to assess the suitability of proposed development which accords with paragraphs 167 to 175 of the NPPF 2023.

141. Working with policy DM07 are the policies DM08, DM09, DS03 and the relevant site-specific policies, these all ensure that the Plan is effective in reducing and avoiding flood risk from new development.

142. Criteria 3 a) and b) address the lifetime safety of development in areas of risk of flooding requiring development in these areas to prepare a site-specific flood risk assessment and to put in place measures to the satisfaction of the Council to avoid increasing flood risk elsewhere through designing into the scheme mitigation, flood management, resilience measures taking into account climate change.

Matter 10, Issue 1: Development Standards

Policy DM08 Sustainable Drainage

The Council's response:

Matter 10, Issue 1, Policy DM08 Sustainable Drainage

Q1. Does policy DM08 effectively address high risk of surface water flooding in the district, within the context of its clay soils and the likely effects of climate change? Does the Plan's approach to flood risk reflect the betterment principle?

143. Yes, policy DM08 does effectively address the surface water flooding within the context of the soil conditions in the district.

144. The soil across Harborough district has various amounts of clay within it, which makes it slowly permeable with high water retention. This presents a challenge for drainage; however, well-designed SuDs work with the site's

hydrology rather than against it, using storage, attenuation and surface water management to handle water that clay is unable to absorb.

145. Accordingly, Policy DM08 at criterion 3 takes account of the soil conditions by requiring that the design and layout of the SuDs considers the hydrology of the site, manages surface water close to source and provides clear quantitative guidance on the management of surface water run-off, which has been further refined in the proposed modification MM23.1 from the Lead Local Flood Authority to demonstrate a 20% reduction in run-off rates compared to pre-development conditions.

146. These all address surface water flooding within the context of the type of soil in the district.

147. The Council considers that the Plan's approach to flood risk accords with national policy with regards to the betterment principle

Q2. Is the term 'promote' strong enough to be effective, in criteria 1 and 2b) of policy DM08?

148. Yes, the term 'promote' is appropriate in criteria 1 and 2b.

149. The aim of the policy is to guide SuDs design towards nature-based solutions such as water management through planting and rain-water storage as well as the use of natural infiltration with soakaways and permeable surfaces. However, the site's topography, soil type and hydrological conditions have to be the determining factor on deciding what is the best SuDs design for the development scheme.

150. In some areas hydrological and weather extremes could lead to oversaturated soils with waterlogging with planting unable to cope with surface water, particularly in areas with high percentage of clay or within a land depression. Although natural infiltration with soakaways and permeable surfaces is preferred, if the soil has a high percentage of clay this could make these types of water management measures difficult.

151. The use of the term 'promote' in criteria 1 and 2b is appropriately flexible to allow for the most appropriate SuDs design for the soil and hydrological conditions as well as any other contributing factors.

Q3. Are the requirements for rainwater storage in criterion 1, and surface-water reduction rates in criterion 2f) of policy DM08 sufficiently clear?

152. Yes, the requirements for rainwater storage in criterion 1 is sufficiently clear. There are many types of rainwater storage systems from water butts to pump and gravity-based systems. The type of rainwater storage system used within a scheme would depend on the budget, the practicalities of the site and specific needs of the scheme. Consequently, the wording in Criterion 1 is not prescriptive in its requirements for the type of rainwater storage.

153. With regards to criterion 2f), the Council considers it is sufficiently clear that all major development must take account of its water discharge to surface water sewer within their SuDs designs.

Q4. Does the Plan make appropriate provision for sustainable drainage systems that work effectively?

154. Yes, the Plan does make appropriate provision for sustainable drainage systems that work effectively by requiring development to take account of the drainage hierarchy and providing criteria for consideration in their design as well as the long-term maintenance and management

Matter 10, Issue 1: Development Standards

Policy DM09 Sustainable Construction and Climate Resilience

The Council's response:

Matter 10, Issue 1, Policy DM09 Sustainable Construction and Climate Resilience

Q1. Is it clear to users of the Plan what 'minimise' carbon emissions during construction entails, to satisfy criterion 1a) of policy DM09?

155. Yes, criterion 1 a) of policy DM09 is clear to users of the Plan in what 'minimise' carbon emissions during construction entails when read in

conjunction with criteria 2, 3, 4 and 5 which refer to BREEAM standards which details how carbon emissions can be minimised during construction.

Q2. Does the water efficiency standard of a minimum equivalent to 110 litres per person per day for any residential use, in criterion e) of policy DM09, appropriately address local water stress?

156. Yes, the water efficiency standard of a minimum equivalent to 110lppd for residential use does appropriately address local water stress. Policy DM09 requires a water efficiency statement and a measurable residential standard being achieved using a fittings-based approach target. The water efficiency standard of 110lppd accords with the recommendations of Water Resources West and the National Water Resources Framework as well as the recommendation of the Climate Change and Renewable Energy Study Review [EN-NLP 3], with scope for measures to reduce consumption further through re-use, offsetting and efficient fittings.

Q3. Are the BREEAM standards and ratings appropriate in policy DM09, and consistent with national policy? In criterion 2 of policy DM09, is the BRE Home Quality Mark minimum three star rating standard for residential development consistent with national policy and justified? Is whole life-cycle assessment practicable for major residential development?

157. Yes, the BREEAM standards and ratings are appropriate within policy DM09 as they provide guidance and clarity to developers on what is expected from the construction of new development. The Home Quality Mark is a quality certification for the whole development rather than specified performance standards. its focus on the holistic provision of quality sustainable construction.

158. The policy is consistent with national policy at paragraphs 157, 158 and 159 of the NPPF 2023 in that Local Plans should contribute to radical reductions in greenhouse gas emissions, be proactive in providing policies to require development to mitigate and adapt to climate change and any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

159. For the reasons above, the Council considers that criterion 2 of policy DM09, which requires the BRE Home Quality mark minimum three-star rating standard for residential development is consistent with national policy and justified as it provides clarity to developers on the Council's expectations from development.

160. A whole life cycle assessment is practical for major development as this is now a mandatory requirement for all RICS members. The Royal Institute of Chartered Surveyors Whole Life Carbon Assessment for the Built Environment Standard 2nd edition became fully effective on July 1st 2024.

Q4. Have the implications of these standards of development for housing delivery, viability and affordability been robustly assessed?

161. Yes, these have been viability assessed and there is sufficient allowance of costs within their assessment to account for these standards.

Q5. Should on-site renewable energy generation be addressed in policy DM09?

162. BREEAM standards do not explicitly require on-site renewable energy generation, but they do recognise and reward this provision within a development. However, the Future Homes and Buildings Standard contains a requirement for onsite renewable energy generation. Requirement L3 mandates that new homes must incorporate on-site renewable electricity generation with the installation of solar photovoltaic systems becoming a standard component of new residential construction. Future Homes standard will be introduced in March 2027.

163. The Council would be happy to accept a recommendation for a modification to include on-site renewable energy generation, if considered required.

Matter 10, Issue 1: Development Standards

Policy DM10 Biodiversity and Geodiversity Protection and Enhancement

The Council's response:

Matter 10, Issue 1, Policy DM10 Biodiversity and Geodiversity Protection and Enhancement

Q1. Is policy DM10 consistent with national policy on avoiding unnecessary duplication of policies?

164. No, policy DM10 is not consistent with national policy and modification at MM24.1 and MM24.2 is proposed to policy DM10. This is set out in HDC 2 Appendix 1 Schedule of Proposed Modifications. The Council considers that these proposed modifications make policy DM10 consistent with National Policy.

Q2. Is the 'at least 10% measurable biodiversity net gain' figure in criterion 1 of policy DM10 justified, considering both local biodiversity need and the need to deliver development in the District?

165. Yes, this is justified in accordance with EN-NLP 12: Ecological Assessment of Proposed Site Allocations April 2026 and accords with National Policy.

Q3. Is policy DM10 flexible enough? Are requirements 4a) to 4f) of policy DM10 realistically achievable for all development? Is it realistic to expect development to have no adverse impact on elements 5a to 5c) of Policy DM10?

166. Yes, policy DM10 is flexible enough and accords with national policy and guidance when Modification MM24.2 proposed to criteria 5a to 5c Policy DM10 as set out in HDC 2 Appendix 1 Schedule of Proposed Modifications amended following Panel Note 2 (ID2) is considered.

167. It is considered that the policy wording could be more clearly worded in criterion 4 to provide clarity that the contributions to protect and improve biodiversity and geodiversity should be appropriate and proportionate to the

development. The Council would be happy to accept a recommendation for a minor modification on this basis.

Q4. Is policy DM10's provision for species and their habitats in the district, and on designated sites of international importance beyond its boundaries appropriate and consistent with national policy? Is the approach to compensation in policy DM10 appropriate?

168. Yes, DM10's requirement for provision for species and their habitats in the district in criterion 4a is appropriate and accords with paragraph 185b of NPPF 2023. This is evidenced in EN-NLP 12: Ecological Assessment of Proposed Site Allocations. EN-NLP 11: Leicestershire, Leicester and Rutland Local Nature Recovery Strategy July 2025 also informs the policy and this is explained in MM24.3 as set out in HDC 2 Appendix 1 Schedule of Proposed Modifications. The Council, therefore, considers the policy to be appropriate and consistent with national policy.

169. The Council considers that it is appropriate that policy DM10 requires development to consider any potential impacts on any hydrological links between their development and the designated sites of Rutland Waters RAMSAR and SPA and Ensor's Pool SAC which lie outside the district's boundaries.

170. A modification MM24.2 to criteria 5 is proposed to make policy DM10 more consistent with Natural England's guidance. This is set out in HDC 2 Appendix 1 Schedule of Proposed Modifications.

171. The approach to compensation in policy DM10 is not appropriate and modification MM24.1 is proposed to policy DM10. This is set out in HDC 2 Appendix 1 Schedule of Proposed Modifications.

Matter 10, Issue 1: Development Standards

Policy DM11 Managing Impacts on Land and Water Quality

The Council's response:

Matter 10, Issue 1, Policy DM11 Managing Impacts on Land and Water Quality

Q1. Would the quantity of development proposed in the Plan be compatible with the requirement in criterion 1 of policy DM11 to protect water resources and provide water services? Is there robust evidence to demonstrate this?

172. Yes, the quantity of development proposed in the Plan would be compatible with the requirement in criterion 1 of policy DM11, which primarily refers to water quality. However, with regards protecting water services, policy DS03 criterion 1b and DM09 1e refer to water efficiency and these work in tandem with DM11 to ensure that there is the quantity of water to support development. These policies are based on the water cycle study [EN-NLP5].

173. With regards water quality, Local Planning Authorities must have regard for the Water Framework Directive (WFD), which aims to ensure "no deterioration" in the environmental status of rivers and sets objectives to improve rivers to meet "good" status. LPAs and associated statutory objectives as implemented in the EA's River Basin Management Plans (RBMPs).

174. Leicestershire Water Cycle Study 2024 (LWCS) considered the impact of development on water quality across Leicestershire including Harborough within the context of the WFD. The LWCS sensitivity analysis for water quality across all water bodies in South Leicestershire including Harborough District found that none were in good condition. The three main causes of poor water quality are agricultural run-off, urban and road run-off and permitted discharges from the public sewerage network. The LWCS highlighted that there is significant growth planned across South Leicestershire and the cumulative growth could impact on water quality. Consequently criterion 1 of DM11 is required.

175. DM11 ensures that all new development considers their impact on nearby water courses during construction and the lifetime of the development. This policy accords with Chapter 11 of the NPPF 2023 paragraph 180 criterion (e) which states planning policies and decisions should contribute to and enhance the natural and local environment by:

e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;*

Q2. Is the approach to development on agricultural land in policy DM11 justified and consistent with national policy?

176. Yes, the approach to development on agricultural land in policy DM11 is justified and consistent with national policy. This policy prioritises development on lower-quality agricultural land, preserving high-quality soils to support sustainable agricultural practices and food security. Policy DM11 criterion 3 accords with policy 180 9b) and footnote 62 of the NPPF in directing development on lower-quality agricultural soil in the first instance and preserving high-quality agricultural soil by requiring a thorough assessment to evaluate its impact on food production and require mitigation measures to minimise any adverse environmental effects arising from the development.

Q3. Is it clear to users of the Plan what assessment of impact on agricultural activity in criterion 3a) of policy DM11 entails?

177. It is considered that the policy could be more clearly worded to provide users clarity on what an assessment of the impact on agricultural activity entails. The Council would be happy to accept a recommendation for a minor modification on this basis

Matter 10, Issue 1: Development Standards

Policy DM12 Protection and Enhancement of Community Facilities

The Council's response

Matter 10 Issue 1, Policy DM12 Protection and Enhancement of Community Facilities

Q1. Is it clear how policy DM12 would be implemented? Is there any ambiguity in the term 'community facility', particularly in the context of village shops, health care and leisure facilities? How does the substance of the policy relate to the Use Classes Order and to designated Assets of Community Value?

178. Yes, policy DM12 is clear in how it would be implemented as the policy clearly states that community facilities will be protected, also diversification of uses will be supported where these help to retain and enhance the quality of these facilities. The policy also states circumstances and the evidence required for any proposals which would result in a loss of these facilities.

179. It is considered that the policy may benefit from a definition in the glossary for the term 'community facility' to ensure that the policy captures all relevant community uses. The Council would be happy to accept a recommendation for a modification on this basis.

180. The Council maintains a list of Community Value Assets across Harborough Assets of Community Value July_2026 and these assets are provided with further protections from the Localism Act 2011. The Town and Country Planning (Use Classes) Order 1987 defines categories of buildings for planning purposes. The Council considers that Policy DM12 works in conjunction with this legislation in ensuring the retention and enhancement of facilities important to communities.

Q2. How does policy DM12 relate to policy DS05 with reference to the enhancement and provision of community facilities, including educational and other facilities with reference to new developments?

181. Policy DM12 refers to the protection and enhancement of existing community facilities, whilst DS05 refers to the provision of strategic infrastructure to support new growth. Within policy DS05, if there is a requirement as a result of new growth to provide new community facilities or

extend existing facilities there is criteria on how these should be approached with respect to their location and sustainability.

Matter 10, Issue 1: Development Standards

Policy DM13 Existing Business Uses - Retention and Redevelopment

(Please refer to Matter 4 for discussion of Policy DM13)

Matter 10, Issue 1: Development Standards

Policy DM14 Shopfront Design

The Council's response:

Matter 10, Issue 1, Policy DM14 Shopfront Design

Q1. Is policy DM14 effective and consistent with national policy? As worded, is there duplication with the heritage policies of the Plan. Is it overly prescriptive, and would it unduly fetter appropriate innovation or change?

182. Policy DM14 acknowledges the important contribution that shopfront design can make to the distinctive role and character of different areas and recognises their historic significance, intrinsic character and beauty. It supports the objectives of the 2023 NPPF, in particular paragraphs 131, 132 and 135.

183. Both of the District's town centres, and many of the village centres, have Conservation Area status and contain numerous listed buildings and other buildings of local interest. In such areas it is essential that shop fronts are sensitively designed to complement architectural details and historic features creating a high-quality environment that supports building a strong and competitive economy.

184. Policy DM14 supplements, rather than duplicates, the Plan's heritage policies by providing specific design guidance for shopfronts and associated alterations. The policy should therefore be read as part of the Plan as a whole and applied alongside the relevant heritage policies, national planning policy and statutory duties. This ensures that proposals are considered in their wider

architectural and historic context, with appropriate regard given to the significance, character and setting of affected areas.

185. Minor corrections are proposed to Policy DM14. This is set out in HDC 2 Appendix 1 Schedule of Proposed Modifications amended following Panel Note 2 (ID2) (AM25.1 and AM25.2).

Matter 10, Issue 1: Development Standards

Policy DM15 Outdoor Advertising and Signage Design

The Council's response:

Matter 10, Issue 1, Policy DM15 Outdoor Advertising and Signage Design

Q1. Does policy DM15 provide an effective policy framework for the consideration of proposals for advertisements, and signage, consistent with the limitations set out in the legislation, the NPPF and the PPG?

186. Yes. The Council considers that Policy DM15 provides an effective framework for the consideration of advertisements and signage and is entirely consistent with statutory limitations, national policy and national guidance.

Matter 10, Issue 1: Development Standards

Policy DM16: Telecommunications Infrastructure

The Council's response:

Matter 10, Issue 1, Policy DM16 Telecommunications Infrastructure

Q1. Is policy DM16 effective and consistent with national policy? How does criterion f) relate to the heritage and natural environment policies of the Plan?

187. The Council considers that Policy DM16 is effective and consistent with national policy. It provides a clear criteria-based framework for determining telecommunications infrastructure proposals in accordance with paragraph 20 of the 2023 NPPF. The policy balances the current national objective of expanding or upgrading telecommunications networks with the statutory requirement to protect local amenities, public safety, and environmental assets.

188. Criterion f) provides a telecommunications specific design requirement; it does not replace, dilute or duplicate policies DS04 and DM03. Where an installation may affect a heritage asset or its setting, the policies are applied together. Policy DM16(f) requires the installation to be designed to avoid or minimise adverse effects at the outset, while policies DS04 and DM03 provide the detailed framework for identifying significance, assessing effects and applying the relevant balance in paragraphs 195-214 of the 2023 NPPF. Accordingly, the phrase “unacceptable impact” within criterion f) does not create a separate heritage test or imply a blanket prohibition on every instance of minor or justified harm.

189. The final words of criterion f), referring to harm to the health or vigour of trees, are targeted on the natural environment rather than the historic environment. They ensure that the provision of telecommunications infrastructure avoids unacceptable, irreversible damage to trees. This requirement is to be applied in tandem with environmental policies DS03 and DM03, which provide the substantive basis for assessing the value and protection of affected trees and any other environmental receptors. Criterion f) therefore adds a development specific consideration but does not override or duplicate the Plan’s wider environmental protections.