

Harborough Local Plan Examination

Inspector's initial questions and comments

This is a mixture of questions and of comments on the submitted policies. Whilst the new National Planning Policy Framework allows the submitted plan to be examined under the former Framework, I have made reference to the new Framework in one or two places because the Council should consider "future proofing" the plan to take into account changes in national policy.

My questions and comments concern Sections 1 to 12 of the submitted plan. I have not at this stage raised any questions relating to site allocations (other than in point 37 below). These are likely to be dealt with at Matters and Issues stage.

Housing

1. The plan contains conflicting statements on its housing requirement. Policy SS1 states that provision of land will be made for a minimum of 12,800 dwellings, suggesting that this is the housing requirement. Policy H1 makes provision for it. However, paragraph 5.1.7 suggests that the requirement is 11,410 dwellings, or 557 dpa, and states that the 5 year supply will be calculated against this lower figure. This introduces confusion into the picture.
2. Paragraph 5.1.10 sets out the reasons for what is described as a 15% contingency. At what stage and against what triggers do the Council envisage calculating the 5 year supply against the higher figure – given that it is already known that the City of Leicester is declaring unmet need?
3. What is the latest position regarding the quantification of need arising in the City of Leicester?
4. Should the housing requirement include a quantified element for unmet need from Leicester and other authorities in the HMA?
5. What effect if any do the recently-published 2016 household projections have on the OAN and the housing requirement?
6. What is the latest lower quartile affordability ratio for Harborough District? How does this differ from that considered in the HEDNA, what are the long term trends, and what market signals adjustment should be made?

7. In the schedule of representations, the Council have commented that the Local Plan allocates 79% of the residual requirement plus 5% on windfall sites and is expecting 16% on unallocated sites, including neighbourhood plans. Do these figures relate to 12,800 or 11,410 dwellings?

8. What is the evidence for the level of development expected to come forward under Policy GD2?

9. How much reliance can be placed on delivery from future neighbourhood plans? What is the evidence for the anticipated delivery rate?

10. Having regard to all the above, is the 15% contingency sufficient?

11. In respect of Policy H1, the Council want to add text into 5.1.17 stating that the residual housing requirement in certain centres is zero. Once existing commitments are built out, this approach would appear to impose severe restraint over the whole plan period. Is this a sound approach given that some of these centres are recognised as in very sustainable locations?

12. It is not clear how the application of Policy H3, Rural Exception Sites, would work in combination with Policy GD2, Settlement Development. Policy GD2 allows general housing on sites physically and visually connected to settlements and Policy H3 allows "rural exception" housing on sites with the same attributes – in which case they would be in accordance with Policy GD2 and would not be exception sites.

13. Policy GD2 applies to development both within and adjacent to settlements, with the result that criteria a. and b. could have the effect of preventing windfall development on appropriate sites inside settlements that would otherwise be acceptable. At the same time criteria c. to e. do not apply to sites within settlements. The two different kinds of site location require different approaches and should be clearly separated. Moreover, criterion c. could restrict acceptable development in one settlement because of development that had occurred elsewhere even if that settlement was distant and unrelated.

14. Policy GD4 criterion c. should reflect the Framework (preferably the latest one). Criterion d. is too restrictive; it would act to prevent the re-siting of the replacement dwelling to achieve visual or sustainability benefits. It would also prevent beneficial additional

housing provision through the subdivision of existing dwellings (note 79d of the new Framework).

Housing standards

15. In Policy H5, what evidence is there to show justification for applying the nationally described space standards, having regard to PPG 56-020?

Gypsy, traveller and travelling showpeople

16. Can it be demonstrated that the plan meets identified needs? In Policy H6, is there a case for allowing ancillary commercial activity in certain well-defined circumstances?

Landscape and townscape character

17. Policy GD5 is attempts to cover too much and in doing so applies an incorrect policy approach to a range of important interests in conflict with the Framework. Landscape, townscape and heritage assets should be dealt with separately.

Business and employment

18. Regarding Policy BE1, Provision of New Business Development, according to the relevant topic paper, the residual requirement for business uses has been calculated at 40.4ha, but a minimum of 59 ha has been allocated. What cross boundary discussions have taken place to provide a context for the scale of this allocation?

19. Also on BE1, it is not clear how the amount of office provision within this policy could be applied using the sequential approach to town centre uses.

20. Regarding Policy BE2, Strategic Distribution, what analysis has been undertaken, and what cross boundary discussions have taken place, to evaluate the impact of this policy on other strategically important projects such as DIRFT?

21. Does BE2(2) apply to sites other than Magna Park? I note criterion a. but it is not clear from the policy whether all the criteria must be complied with.

22. Can the Council direct me to an analysis of the impacts on the countryside of this policy, having regard also to the Council's proposed modification to Policy GD3 which would allow such development in the countryside?

23. Similarly can the Council direct me to an analysis of the effect on commuting, travel patterns and the environment?

Bruntingthorpe Proving Ground

24. In Policy BE4, is "ancillary" the right word, since this would imply that development would be restricted to existing businesses? Should the policy say "for"?

25. Is part 2 of the policy too restrictive to knowledge and creative businesses falling within Class B1(a)? Similarly, should it not allow for incremental improvements?

26. In respect of criterion f., what other modes of transport did the Council have in mind and how would these measures be implemented?

Retail, Town Centres and Tourism

27. Do Policy RT1 and the Harborough Retail Study and Update take into account the substantial existing and forecast changes to retail spending patterns, notably the growth in online sales?

28. Whilst there is a reference to housing in Policy RT2, it is not an "encouraging" policy and Policy RT1 in referring to retail schemes makes no mention of achieving town centre residential development as part of any scheme. There is a need to boost the supply of housing, locate housing in sustainable locations to minimise the need for travel, create mixed use development to sustain life in town centres, build at higher housing densities and protect greenfield land as far as possible. Against this background, the plan does not go far enough to promote residential development in the town centres to further these objectives.

Heritage and community assets

29. It is noted that the Council intend to modify Policy HC1 to bring it into compliance with Government policy. On that basis I make no comment at this stage.

Green Infrastructure

30. I am concerned that Policy GI1(2) protects “green infrastructure assets” without being clear about what this means in practice, for landowners, residents or the planners who would have to implement the policy. Are the assets defined on the Policies Map? The policy needs to be much clearer about what is meant by the policy and how it would be applied.

Open space, sport and recreation

31. Does the reference to “public and private open spaces and recreation spaces” in Policy GI2(2) mean those shown on the Policies Map? “The defined” should precede “public and private...”

Renewable energy generation

32. Policy CC2(1)c. does not reflect the policy in the Framework. In fact, many of these criteria are covered by their own policies in the plan so there is no need to try to cover them again in this policy.

33. With regard to CC2(2), does the Council have evidence to demonstrate consultation and the backing of the local community in respect of wind turbines in these locations? (See footnote 49 of the new Framework.)

Managing flood risk

34. There is something wrong with the wording in Policy CC3(2) since it appears to exclude non-major development from Flood Zone 1.

Sustainable transport

35. Regarding Policy IN2, the local transport authority’s policies and those of Highways England are not part of the development plan and have not been examined in the same way as a local plan. Consequently the text should read “have regard to” rather than “support”.

36. A similar point arises in respect of criterion 2a, access, servicing and parking. The policy should say "having regard to" rather than "in accordance with" highway authority guidance and standards.

37. The same point applies to the relevant criteria in all the site allocation policies.

Electronic connectivity

38. Developers cannot make a broadband "service" available for prospective residents – that is a matter for the service provider. Rather, the policy should refer to the provision of suitable broadband infrastructure for each dwelling.

Jonathan Bore
INSPECTOR

27 July 2018