
Hearing Statement on behalf of Jelson Ltd

Harborough District Local Plan

Examination

Matter 6: Spatial strategy and countryside protection

September 2018

6.4 Is policy GD2 a sound approach to allowing additional development in sustainable locations (having regard to any modifications the Council propose to make to the policy as indicated in IC3 in their response to IC2 Q13)?

1. Our Client has previously expressed its support of the Council's proposals to replace the existing 'limits to development' policy (a policy that is contrary to the policies contained within the National Planning Policy Framework) with a new policy (GD2) which encourages sustainable development within or adjacent to existing settlements.
2. However, as currently drafted, this policy is confusing. It applies to development on sites both within and adjacent to the settlements. As a consequence, criteria (a) and (b) of the policy have the potential to prevent windfall development from taking place on appropriate sites within the built up area / settlements. By the same token, criteria (c), (d) and (e) only apply to sites outside the settlement boundary, and are not therefore relevant to the assessment of proposals for development on windfall sites within settlement boundaries.
3. Moreover, and more importantly, criteria (a) has the potential to restrict development in one settlement because of development that has taken place within another settlement (as a consequence of the proposal exceeding the housing requirements specified in draft Policy H1) even if that settlement was distant and unrelated.
4. Taking all this into account, we consider that draft Policy GD2 is unsound and that the Inspector should consider recommending that the Council makes the following changes to it, in order to make it sound.
 - i) Amend the policy to include an additional part that clearly sets out the different approaches that the Council will apply when assessing proposals for development on (a) windfall sites within the settlement boundaries; and (b) those sites that lie outside the settlement but are contiguous to its boundary.
 - ii) That the assessments of compliance with draft Policy H1 (provision of new housing) relate only to sites that are located contiguous to the built up areas, not windfall sites.