



Harborough Local Plan (March 2025) Examination

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Panel Note 2

Preliminary Questions to the Council

1. The Panel thanks the Council for its response to our introductory letter. (Panel note 1 [ID1], Council response [HDC1]).
2. Our preparation is progressing. Based on our initial reading of the Harborough Local Plan (the Plan), and delving into its evidence base and representations made, we set out below a number of initial comments and questions for the Council. The responses will help us in identifying the matters and issues that need to be examined further.

Procedural and legal compliance

3. The Council has confirmed its calculation of Local Housing Need (LHN) in accordance with the Standard Method in national planning practice guidance (PPG) published on 12 December 2024 [HDC1].
4. The Plan was submitted for Examination on 17 April 2026. The extant National Planning Policy Framework (NPPF) at point of submission was the December 2024 version (NPPF24). The Plan is being examined under the transitional arrangements set out in NPPF24, in particular paragraphs 234 to 235. As the Plan reached Regulation 19 (pre-submission stage) before 12 March 2025, and its draft housing requirement meets at least 80% of LHN, NPPF24 at paragraph 235 indicates that it will be examined under the relevant previous version of the NPPF. Therefore, we agree with the Council that **the Plan should be examined against the version of the NPPF published in December 2023 (NPPF23).**

Outstanding documents

5. We note from the Council's submission letter [PRENL9] that several Statements of Common Ground (SoCG) and a collaborative Transport Topic Paper are awaited. The Council's response to our Panel Note 1 sets out when the Council expects to publish these and several other further evidence base documents.
6. The Council is reminded that it should submit for Examination what it considers to be a sound plan. The Plan should be supported by up-to-date evidence on submission. To ensure timely progress of the Examination, and fairness to all parties, taking account of Inspector availability, the Council should **publish any outstanding documents set out in table 2 of HDC1 no later than the end of the stated months of May, June and July**, and, for the documents listed as expected in August, **publish these no later than 14 August 2026**.
7. This is set out below for clarity.

Title	Submission no later than
Leicester & Leicestershire Updated Housing Mix Evidence	End of May 2026
Open Spaces Strategy Review 2025	End of June 2026
SoCG-Council, Oadby and Wigston Borough Council, Development Partners, (Homes England, Urban and Civic) re Land south of Gartree Rd Strategic Development Area	End of June 2026
SoCG-Council, Historic England	End of June 2026
SoCG-Council, Development Partners re policies MH2 East of Market Harborough Rd & MH3 Land south of Gallow Field Rd	End of July 2026
Preliminary Scheme Design (Local Highway) plus associated evidence base updates as appropriate	14 August 2026
Transport Topic paper	14 August 2026
SoCG-Council, Local Transport Authority (Leicestershire County Council)	14 August 2026
SoCG-Council, Warwickshire County Council (as Local Transport Authority)	14 August 2026

Q1 Does the 'further work being finalised' referred to in the Council's Pre-examination Checklist Response document [SNLP14] mean documents listed in Table 2 of HDC1, or any other documents?

Submitted Plan

Q2 Is the submission Plan [SNLP1] the same as that used in the Regulation 19 consultation?

Local development scheme

8. The Council's local development scheme was updated in November 2025 [SNLP6].

Q3 Was the Plan prepared in accordance with the Council's local development scheme as required by section 19(1) of the 2004 Act?

Public consultation

9. Section 19(3) of the 2004 Act requires the Council to prepare the local plan in accordance with its statement of community involvement. The Council's statement of community involvement was published in June 2025 [SNLP5].

Q4 Were any concerns raised in representations made under regulation 20 that the consultation carried out during the preparation of the Plan failed to comply with the statement of community involvement or any relevant legal requirements?

Climate change

10. Section 19(1A) of the 2004 Act requires development plan documents (taken as a whole) to include policies designed to secure that the development and use of land in the planning authority's area contributes to the mitigation of, and adaptation to, climate change.

Q5 Which policies in the Plan are designed to secure that the development and use of land contribute to the mitigation of, and/or adaptation to, climate change?

Strategic priorities

10. Strategic policies in the Plan should be limited to those necessary to address the strategic priorities of the Plan area. They should not extend to detailed matters that are more appropriately dealt with through non-strategic policies or neighbourhood plans.

Q6 Which parts of the Plan identify the Council's strategic priorities for the development and use of land in the District as required by section 19(1B) of the 2004 Act? Does the Plan provide the necessary clarity for those using it?

Equalities

11. Public authorities are required under section 149 of the Equality Act 2010 to have due regard to the following aims when exercising their functions:
 - a) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12. An Equality Impact Assessment was carried out during the preparation of the Plan [SNLP7]. This found that the submitted Plan covers a wide range of policies that promote equality and identifies several positive impacts for the various protected characteristics. It summarises that the Council has had due regard to the three aims in paragraph 149 of the Equalities Act in formulating the Plan.

Q7 Were any concerns raised in representations made under regulation 20 that the Plan is likely to adversely affect persons who share relevant protected characteristics as defined in s149 of the Equality Act 2010 or that the Council failed to have due regard to the Public Sector Equality Duty?

Sustainability Appraisal

13. Local plans should be informed throughout their preparation by a sustainability appraisal that demonstrates how the plan has addressed relevant economic, social, and environmental objectives. Significant adverse impacts on these objectives should be avoided and, where possible, alternative options which reduce or eliminate such impacts should be pursued.
14. Local planning authorities are required to consider “reasonable alternatives” during the preparation of local plans, to comply with relevant legislation relating to strategic environmental assessment and to meet one of the tests of soundness. The reasonable alternatives should take account of the objectives and geographical scope of the plan
15. A sustainability appraisal was carried out during the preparation of the Plan and a report published in February 2025 [SNLP3].

Q8 Do any representations made under regulation 20 claim that the sustainability appraisal failed to identify reasonable alternatives to the Plan or comply with the relevant legislation for other reasons?

Habitats Regulations Assessment

16. Habitats Regulations Assessment should be undertaken as part of the preparation of a local development plan. A Habitats Regulations Assessment was undertaken during the preparation of the Plan, and a report published in February 2025 [SNLP4].

Q9 Would the Plan have any significant adverse effect on sites of ecological importance as defined in the Conservation of Habitats and Special Regulations 2017, which cannot be adequately mitigated? Has any concern been raised by Natural England to the Habitats Regulations Assessment [SNLP4]?

Flood Risk Assessment

17. Local plans should take a sequential, risk-based approach to the location of development in relation to flood risk.

Q10 Has a sequential, risk-based approach been taken to the location of development in the Plan in relation to flood risk? If so, what evidence is there to show that such an approach has been used in the allocation of sites in the Plan?

Heritage

18. Paragraph 196 of NPPF23 states that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay, and other threats.

Q11 In the context of strategic policy DS04 dealing with preserving and enhancing our heritage and rural character, what is the robust justification for the Plan's approach on this matter?

Policies referring to supplementary planning documents and other documents

19. Often Plan policies refer to supplementary planning documents and other documents. Whilst it may be justified to expect applicants to "have regard to" such documents, as they are not development plan documents it is not justified to require proposals to "comply" or be "in accordance" with them (or similar).

Q12 Could the Council list any policies in the Plan that refer to a supplementary planning document or other document, and if necessary, prepare main modifications (MMs) to ensure that the requirement relating to each is justified?

Plan period

20. NPPF23 paragraph 22 states that strategic policies should look ahead over a minimum 15 year period from adoption. The Plan is likely to be adopted between 1 April 2027 and 31 March 2028. To be consistent with national policy, strategic policies should look ahead to at least 31 March 2043.

Q13 Could the Council confirm that the relevant 15 year period from adoption would be 31 March 2043?

Q14 Why would strategic policies that look ahead from 2020 be consistent with national policy that expects plans to be up to date?

Schedule of the Council's Suggested MMs

21. Any modifications that the Panel recommend, which would be limited to those required to address matters of legal compliance or soundness, are known as 'Main Modifications.'
22. The Council can make minor changes to the Plan prior to adoption, provided these do not materially alter the policies i.e. they are of a minor nature dealing with factual updates or typographical errors for example. Those are known as 'Additional Modifications' (AMs). Those are a matter entirely for the Council. We will not be considering any AMs during the Examination, and they will not form part of our report.

23. The policies map is not defined in statute as a development plan document and so the Panel does not have the power to recommend MMs to it. However, it may be the case that necessary MMs to the Plan's policies require further corresponding changes to be made to the policies map. There may also be instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.
24. Therefore, when the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council may need to update the adopted policies map to include all the changes proposed in the submission policies map and the further changes published alongside the MMs incorporating any necessary amendments identified in our report. However, this is a matter for the Council.
25. The submitted Plan is accompanied by the Council's schedule of proposed modifications to the submitted Plan (updated May 2026) [SNLP15]. That includes a schedule of MMs, 'minor modifications' and changes to the policies map. This should clearly separate out suggested MMs, AMs, and changes to the policies map.

Q15 Could the Council provide a schedule amended in the following ways:

- **Delete reference to 'minor modification' in favour of AM;**
 - **Separate out MMs, AMs, and changes to the policies map;**
 - **Change those suggested changes that we consider should MMs. These are highlighted in yellow in the attached Annex 2; and**
 - **Number each MM/AM (MM1, MM2, MM3), allocating one MM per policy/or part of the Plan e.g. the Introduction.**
26. When the revised document is agreed with the Panel it should be published on the website as a 'live' document to be amended and added to during the Examination.

Housing Need

27. The LHN for the District has been established using the Government's Standard Method as set out in the NPPF23 and the associated PPG. The Standard Method provides a starting point for establishing minimum housing requirements, based on household projections and workplace-based affordability ratios. This Plan calculates LHN as 534 dwellings per annum (dpa).
28. The Housing Numbers Topic Paper [TPCNLP9] along with the Leicester and Leicestershire Authorities SoCG [SCGNLP4] indicate that LHN is calculated 2020. The former at paragraph 4.4 seems to contradict this.

Q16 Could the Council clarify the year of the latest calculation of LHN on which the Plan relies?

Q17 Does the latest calculation of LHN align with the Plan's housing requirement period?

Housing Requirement

29. As confirmed by PPG (ID: 2a 004-2024), LHN represents a starting point and authorities may plan for a higher number. Local plans should include a housing requirement figure which shows the extent to which their identified housing need (and any unmet needs within neighbouring areas) can be met over the plan period. The requirement may be higher than identified need if, for example, it reflects growth ambitions linked to economic development or infrastructure investment. An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.
30. Strategic policy DS01 sets a housing requirement of 13,182 between 2020 and 2041. It sets an annual requirement of 657 dpa for 2020-2036, decreasing to 534 2036-2041. That comprises LHN and a proportionate share of unmet need from neighbouring Leicester City Council.

Q18 The Plan's housing requirement is not set as a minimum. To accord with NPPF23 paragraph 60, which sets out the Government's objective of significantly boosting the supply of homes, should it be set as a minimum?

Q19 Did the Council, including through sustainability appraisal, consider an increase in the total housing figures in the Plan to (a) help deliver the required number of affordable homes or (b) reflect growth ambitions linked to economic development or infrastructure investment?

Housing supply

31. The Strategic Housing and Economic Land Availability Assessment Update (2024) [HSGNLP4-6] sets out the Council's approach to identify and assess potential development sites as part of the process of deciding which sites to allocate in the Plan in the context of PPG. The choice of sites to allocate was also informed by the viability assessment [INFNLP3-4] and sustainability appraisal.

Q20 (a) Does the Plan allocate every site that the Council considers to be suitable and available for housing development? (b) Do any representations made under regulation 20 suggest that there are sites that are suitable and available which are not allocated? (c) If so, why does the Council consider them not to be?

Five year housing land supply

32. National policy expects plans to identify a supply of specific, deliverable sites for five years following the intended date of adoption with an appropriate buffer.
33. PPG extant in December 2023 refers to a buffer of 10% being applied to the five year requirement for the purposes of plan-making, or 20% where the Housing Delivery Test indicates delivery has fallen below 85% of the requirement. NPPF23 paragraph 77 and footnote 43, and current NPPF, also refer to a 20% if there has been a significant shortfall in deliver.
34. As the Plan is likely to be adopted between 1 April 2027 and 31 March 2028, the relevant five year period is 1 April 2028 to 31 March 2033.
35. The Council has submitted a five year housing land supply statement [HSGNLP10]. That does not provide the information set out in the preceding paragraphs.

Q21 Based on the latest comprehensive housing land supply information (31 March 2025) [SNLP15], what is the identified supply of specific, deliverable sites for the period 1 April 2028 to 31 March 2033 in the following categories:

- Sites with detailed planning permission.*
- Sites with outline planning permission for fewer than 10 homes.*
- Sites with outline planning permission for 10 or more homes.**
- Sites with a grant of permission in principle.**
- Allocations in the Plan that do not fall into any of the above categories.**
- Windfalls (if applicable)

* These sites should be considered “deliverable” until permission expires unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer demand for the types of units, or sites have long term phasing plans).

** These sites should only be considered “deliverable” where there is clear evidence that housing completions will begin on site within five years.

Q22 Could the Council provide a Table listing all of the sites that are assumed to contribute to the five year supply between 1 April 2028 and 31 March 2033 in each of the above categories with the number of homes expected to be completed on each site in each year of that period?

Housing supply evidence for individual sites

Q23 Could the Council summarise the housing land supply evidence that informs the latest housing trajectory using the template attached in the Annex 1 to this note for:

- **Every allocation included in the Plan that proposes residential development**
- **All sites that are not allocations in the Plan but are assumed to contribute towards the five year supply from 1 April 2028?**

Conclusion

36. Please publish this letter on the Examination website. Please respond to our questions via the Programme Officer by **5pm Friday 12 June 2026**. Following receipt of the Council's responses to the above questions and as we make further progress with our preparation, we will be able to further advise on how we consider that the Examination shall proceed.
37. We are not inviting further submissions from any other party at this stage and will set out in due course when representors may make further submissions. For the avoidance of doubt, other than that specifically requested by the Panel, no further representations, evidence, or other written material should be submitted to the Examination by any party.

R Barrett, L Nurser and W Cooper

INSPECTORS