

**ITEM NO. 14**

**REPORT TO THE COUNCIL MEETING OF 14<sup>th</sup> NOVEMBER 2011**

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**Status:** For decision  
**Title:** Adoption of Core Strategy DPD  
**Originator:** Stephen Pointer, Policy Manager, Housing and Planning  
**Where from:** LDF Task Panel  
**Where to next:** Implementation

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1 Purpose of Report

1.1 To adopt the Core Strategy Development Plan Document.

**2 Recommendation:**

**2.1 That the Core Strategy be adopted.**

3 Summary of Reasons for the Recommendation

3.1 Adoption of plans making up the Policy Framework is the responsibility of Full Council in accordance with section 4.02 (b)(vi) of the Council Constitution.

4 Impact on Communities

4.1 The Core Strategy forms a long term planning document to express how the objectives and aspirations of the Council, statutory agencies and the local community will be reflected in the future shape and development of Harborough District. The Strategy is aimed at tackling the key issues facing the District over the years to 2028 by identifying strategic objectives and ways in which these objectives can be delivered through the planning system and by other means. The Core Strategy articulates a vision for the District and the key communities and places within it.

5 Key Facts

5.1 The Council submitted the Core Strategy for examination in April 2011 following a decision to submit made by Full Council on the 24<sup>th</sup> February 2011.

5.2 The plan was examined at public hearings before an independent Inspector between 19 and 28 July 2011.

5.3 The final Inspectors Report was received on 1<sup>st</sup> November 2011, the recommendations of which concern necessary changes to the plan to ensure that it is sound, are binding on the Council, and no further changes to the plan

can be made. A copy of the Core Strategy as amended by the required changes is attached as the document Council is recommended to adopt.

- 5.4 On adoption, the Core Strategy will form the key part of the statutory Development Plan for Harborough. Appendix 3 of the Core Strategy contains a schedule of Local Plan policies which will cease to have any effect immediately upon adoption of the Core Strategy. Harborough is required to determine planning applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise. If the Development Plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan. Where there are other material considerations, the Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date, which will be the case for the Core Strategy.
- 5.5 The Core Strategy helps to meet the vision for the District in 2028 as set out in the Sustainable Community Strategy. Objectives for the District have been agreed with the community and provide the basis for twelve thematic policies and five place based policies. A Key Diagram illustrates them and is contained in the Strategy document. The Strategy offers a long term approach to development which should not require substantial revision unless evidence suggests otherwise. It also offers a long term approach to safeguarding of the countryside and important areas of green space on the fringes of towns and within settlements.
- 5.6 Once adopted by Council the Core Strategy will form the basis for the Site Allocations Plan which will review specific site boundaries and allocate specific development sites and set a framework for the preparation of Neighbourhood Plans.
- 5.7 Members of the Council will be aware that process of creating the Core Strategy has been underway for several years and has involved considerable work to obtain the evidence, undertake the statutory stages of consultation and examination. I would like to acknowledge the excellent work of the planning policy team who have worked to achieve its adoption: Tess Nelson (David Roberts currently providing maternity cover); Lesley Aspinall, Joanna Ellershaw/ Christopher Brown (job share) and Joseph Qureshi.

## 6 Legal Issues

- 6.1 The preparation and maintenance of a Local Development Framework is a requirement of Part 2 of the Planning and Compulsory Purchase Act 2004. The proposed submission and subsequent adoption of the Core Strategy DPD must conform to the requirements the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 SI 1371 and the Town and Country Planning (Local Development) (England) Regulations 2004 SI 2204.

- 6.2 The regulations require that as soon as reasonably practicable after the local planning authority adopt a Development Plan Document (DPD) such as the Core Strategy, they must:
- (a) make available for inspection during normal office hours at the places at which the pre-submission proposals documents were made available under regulation 26(a):
    - (i) the DPD,
    - (ii) an adoption statement, and
    - (iii) the sustainability appraisal report;
  - (b) publish the adoption statement on their website;
  - (c) give notice by local advertisement of:
    - (i) the adoption statement,
    - (ii) the fact that the DPD is available for inspection and the places and times at which the document can be inspected,
  - (d) send the adoption statement to any person who has asked to be notified of the adoption of the DPD; and
  - (e) send the DPD and the adoption statement to the Secretary of State.

We are also required to:

- (a) make the recommendations of the person appointed (the Inspector) and his reasons for those recommendations available for inspection during normal office hours at the places at which the pre-submission proposals documents were made available under regulation 26(a);
- (b) publish the recommendations and reasons on their website: and
- (c) give notice to those persons who requested to be notified of the publication of the recommendations of the person appointed that they have been so published.

The “adoption statement” means a statement:

- (a) of the date on which a DPD is adopted;
- (b) that a person aggrieved by the DPD may make an application to the High Court under section 113;
- (c) of the grounds on which, and the time within which, such an application may be made;
- (d) (not applicable to a Core Strategy); and
- (e) that any such application must be made promptly and in any event not later than 3 months after the day on which the statement was adopted;

## 7 Resource Issues

- 7.1 The costs of preparation of the LDF including the Core Strategy is provided for through accumulation of Housing and Planning Delivery Grant received in years 2007/8- 2009/10. Existing service budgets provide for staff costs.

## 8. Equality Implications

- 8.1 A full Equality Impact Assessment (EqIA )has been completed that covers both the process of preparing the Core Strategy and the policies of the Core Strategy.

9 Impact on the Organisation

9.1 The Core Strategy demonstrates the Council is fulfilling its role in place-shaping and community leadership. Its reputation will be enhanced by the publication of this Strategy.

10 Community Safety Implications

10.1 The Core Strategy contains specific references to Community Safety.

11. Carbon Management Implications

11.1 The Core spatial Strategy contains specific policies to deal with Climate Change and has been subject to an independent Sustainability Appraisal.

12. Risk Management Implications

12.1 Local Planning Authorities without an up to date adopted Core Strategy are at serious risk of losing effective control over development in their area which can lead to inappropriate planning applications being made and an increase in planning appeals. The recent Government consultation on a 'National Planning Policy Framework' highlighted that local planning authorities should grant permission for proposals where a plan is absent, silent, indeterminate or out of date.

13 Consultation

13.1 The Core Strategy has been prepared after extensive periods of public consultation.

14 Options Considered

14.1 The option of not producing a Core Strategy was not considered, it being a mandatory requirement of the legislation. There are no apparent benefits in not adopting the plan now it has been found sound, and very clear advantages in doing so as highlighted above in paragraphs 5.4 and 12.1.

15 Background Papers

15.1 Studies to provide an [evidence base](#) for the Core Strategy (2006-2010)

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**Previous report(s):**        **None**

**Information Issued Under Sensitive Issue Procedure: N**

**Ward Members Notified: N**

**Appendices:**

**A. Core Strategy - Version to be adopted (including the soundness changes and minor changes required and endorsed by the Inspector)**

**B. Inspectors Report – Final**

**Appendix B1 – Soundness Changes**

**Appendix B2 - Minor changes**