



Appendix A

HARBOROUGH DISTRICT LOCAL DEVELOPMENT SCHEME

September 2021

Harborough District Council

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Local Development Scheme (September 2021)

1. Introduction

- 1.1 The Council has a duty to prepare, publish and maintain a Local Development Scheme (LDS) for the District.
- 1.2 In July 2021, the Council's Cabinet took the decision to begin the preparation of a new Local Plan. The Local Development Scheme sets out the timetable for the preparation of the new Local Plan, giving key production and public consultation stages as well as outlining the subject matter and geographical extent. It also enables the local community to find out about planning policies for their area by setting out the documents which currently form the development plan for Harborough District. The LDS is also an opportunity to provide information on any Supplementary Planning Documents to be prepared.
- 1.3 The LDS is published on the Council's website at www.harborough.gov.uk/local-development-scheme. The Authority's Monitoring Report will report on plan making activity and progress against the LDS to keep communities and interested parties informed.
- 1.4 This LDS replaces the December 2017 version which set out the timetable for the adopted Harborough Local Plan 2011-2031 (adopted in April 2019).

2. The planning system

- 2.1 Planning law requires that planning applications must be determined in accordance with the statutory development plan unless material considerations indicate otherwise. The National Planning Policy Framework, which must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions, emphasises that 'the planning system should be genuinely plan-led'. It advocates succinct local and neighbourhood plans, which should be kept up to date, and be based on joint working and co-operation.
- 2.2 As set out in Section 3 below, the Harborough Local Plan 2011-2031 is a fundamental part of the 'plan-led' system. It was adopted in April 2019 and recently underwent an internal officer review. This review demonstrates that the Local Plan remains up to date and continues to deliver sustainable development across the District. However, the review identified that a recent significant increase in Leicester's housing need, combined with the requirement to meet resultant unmet need within Leicester and Leicestershire through the Duty to Cooperate, is likely to result in the need to update the Harborough

Local Plan. In recognition of the time needed to prepare a local plan, on 5th July 2021 Cabinet took the decision to begin preparation of a new Local Plan as a full update to the adopted Harborough Local Plan 2011-2031 (the Cabinet report and Local Plan Review are available [here](#)).

2.3 In order to keep local communities and other stakeholders informed of local planning activity, the Council is required to prepare a Local Development Scheme under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). In relation to the New Local Plan, the LDS must specify:

- the subject matter of the document to be prepared and the geographical extent to which it relates
- whether the document will be prepared jointly with one or more other local authority; and
- the timetable for the preparation of document

2.4 Local Development Schemes must be publicised and kept up to date. Planning Practice Guidance (PPG) states that a Local Development Scheme is expected to be reviewed and updated at least annually but may need updating more frequently if there are any significant changes in the timescales or the plans being prepared. It is therefore likely that timescales will change over time, leading to the revision of the Local Development Scheme if necessary.

3. Current development plan

3.1 The development plan is at the heart of the planning system with a requirement in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. As such it is essential that plans are in place and kept up to date.

3.2 As of September 2021, the development plan for Harborough District comprises:

- Harborough Local Plan 2011-2031 (adopted in April 2019) and associated Policies Map;
- Leicestershire Minerals and Waste Local Plan up to 2031 (adopted in September 2019); and
- ‘Made’ Neighbourhood Plans as follows:
 - Arnesby Neighbourhood Plan (2019)
 - Broughton Astley Neighbourhood Plan (2014)
 - Billesdon Neighbourhood Plan (2014)
 - Burton Overy Neighbourhood Plan (2019)
 - East Langton Neighbourhood Plan (2018)
 - Foxton Neighbourhood Plan (2017)
 - Fleckney Neighbourhood Plan (2021)

- Great Bowden Neighbourhood Plan Review (2020)
- Great Easton Neighbourhood Plan (2018)
- Great Glen Neighbourhood Plan Review (2020)
- Hallaton Neighbourhood Plan (2021)
- Houghton on the Hill Neighbourhood Plan (2018)
- Hungarton Neighbourhood Plan Review (2021)
- Husbands Bosworth Neighbourhood Plan (2021)
- The Kibworths Neighbourhood Plan (2018)
- Lubenham Neighbourhood Plan (2017)
- Medbourne Neighbourhood Plan (2018)
- Misterton with Walcote Neighbourhood Plan (2021)
- North Kilworth Neighbourhood Plan (2017)
- Saddington Neighbourhood Plan Review (2021)
- Scraftoft Neighbourhood Plan (2016)
- Shearsby Neighbourhood Plan (2019)
- South Kilworth Neighbourhood Plan (2019)
- Swinford Neighbourhood Plan (2018)
- Tur Langton Neighbourhood Plan (2019).

- 3.3 [Harborough Local Plan 2011-2031](#). The Local Plan was adopted on 30th April 2019 and sets out the vision and strategic objectives for the District to 2031. It includes site allocations to meet identified development needs and a range of development management policies to help in the determination of planning applications. The Local Plan is accompanied by a Policies Map which illustrates the polices and proposals across the District.
- 3.4 [Leicestershire Minerals and Waste Local Plan Up to 2031](#). The County Council formally adopted the Minerals and Waste Local Plan Up to 2031 on 25th September 2019. It includes a spatial vision, strategic objectives, and core policies which set out the key principles to guide the future extraction of minerals and the form of waste management development in the County over the period to the end of 2031.
- 3.5 [Neighbourhood Plans](#). In addition to the ‘made’ neighbourhood plans listed in para 3.2, above, which form part of the Development Plan for Harborough District, several other neighbourhood plans are in the process of being prepared or reviewed. The up-to-date position in relation to the preparation and adoption of neighbourhood plans is available on the Council’s [website](#). Once neighbourhood plans are ‘made’ (adopted) by the Council, they form part of the development plan for the District and must be taken into account in the determination of planning applications.
- 3.6 [Supplementary Planning Documents](#). Supplementary Planning Documents (SPDs) provide additional information on policies and proposals in a local plan and are a material consideration in the determination of planning applications. The Planning Obligations SPD (Jan 2017) sets out the Council’s approach to securing Section 106 obligations. This document pre-dates the adoption of the Harborough

Local Plan in April 2019 and is in the process of being updated. Further details on the update are set out at Section 5.

- 3.7 Several [Supplementary Planning Guidance Notes](#) exist, the majority of which are linked to the former 2001 Local Plan policies. These policies no longer form part of the development plan. Whilst the guidance notes reference superseded policies, some of the detailed design principles contained within the documents are still relevant and valuable in giving guidance to applicants and in the determination of planning applications. As a result, in September 2016, the Council resolved that these guidance notes, where still relevant, should continue to be used as a material consideration in determining planning applications until the emerging Development Management SPD is adopted (see Section 5 for more information). Appendix 1 lists the Supplementary Planning Guidance Notes.

4. New Local Plan

- 4.1 Central to the planning system is the preparation of a Local Plan which is in compliance with the National Planning Policy Framework (NPPF).
- 4.2 The Harborough Local Plan was adopted in April 2019. An officer review of the Local Plan carried out in May 2021 found that, although it remains up-to-date and continues to deliver sustainable development in the District, the issue of Leicester City’s unmet housing need is likely to require an update. The Council has therefore taken the decision to begin the preparation of a new Local Plan
- 4.3 The Local Plan preparation timetable as set out in this Local Development Scheme was approved by the Council’s Cabinet at its meeting on [to be inserted following Cabinet]. The report is available on the Council’s website [link to be inserted following publication].

New Local Plan	
Role and Subject:	<p>The New Local Plan will provide the strategic planning framework for the District for at least 15 years from its adoption. The current Local Plan spatial strategy will be updated by a new strategy to deliver the required scale of development in appropriate and sustainable locations. Current Development Management policies will be reviewed and updated as necessary.</p> <p>In line with NPPF (July 2021) paragraphs 20-23, strategic policies in the New Local Plan will set out the overall strategy for the pattern, scale and design quality of places and make sufficient provision for development needs and supporting infrastructure. It will also provide for the conservation and enhancement of the District’s natural, built and historic environment as well as planning measures to address climate</p>

	<p>change mitigation and adaptation.</p> <p>Where appropriate, the New Local Plan will also set out non-strategic, more detailed policies for specific areas, neighbourhoods or types of development in line with NPPF (July 2021) paragraphs 28-30. Such policies can also be set out in neighbourhood plans.</p> <p>The Local Plan will support the continued preparation of neighbourhood plans across the District by providing a clear strategic policy framework. It will identify which policies are strategic and provide the policy context for the preparation or review of neighbourhood plans prepared by Parish Councils or neighbourhood forums on behalf of their local communities.</p>
Geographical Area:	District wide
Status:	Development Plan Document
Chain of Conformity:	NPPF
Joint Production?	No but there is a 'duty to cooperate' on planning issues that cross administrative boundaries, particularly those relating to strategic priorities. Paragraph 27 of the NPPF (2021) is clear that in order to demonstrate effective and on-going joint working, strategic policy making authorities should prepare and maintain one or more Statements of Common Ground (SoCG), documenting the cross-boundary matters being addressed and progress in cooperating to address these. The Council will continue to seek opportunities to prepare joint evidence across the Housing Market Area (Leicester and Leicestershire) or other geographical area, as appropriate, and to address cross-boundary strategic issues through the preparation of SoCGs as appropriate.

Timetable – Key Stages

Reg 18 Consultation	August - September 2022
Reg 19 & 20 Proposed Submission Local Plan Consultation	November – December 2023
Reg 22 Submission of Local Plan for Examination	May 2024
Reg 26 Local Plan Adoption*	April 2025

**Indicative only at this stage as dependent on detailed arrangements for Examination by the Planning Inspectorate and decisions/ recommendations by the Inspector including the need for and scope of any main modifications arising out of the Examination.*

5. Supplementary planning documents

5.1 Supplementary Planning Documents (SPD) are prepared to add further detail to the policies in an adopted local plan. They can be used to

provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.

- 5.2 Over the Local Development Scheme timeframe, the Council expects to produce the following SPDs:
- **Planning Obligations Supplementary Planning Document.** This will replace the Planning Obligations SPD (Jan 2017). It will inform developers, landowners, infrastructure providers and local communities about the approach of the Council to securing community infrastructure and affordable housing through planning obligations. Consultation on a draft Planning Obligations SPD took place early in 2021.
 - **Development Management Supplementary Planning Document.** This will provide additional guidance to assist with the interpretation and implementation of several Local Plan policies. It will help applicants to make successful applications and be taken into account, as a material consideration, when appropriate, as the Council makes decisions on planning applications. Consultation on a draft Development Management SPD took place early in 2021. Once adopted it will replace the Supplementary Planning Guidance Notes listed in Appendix 1 and will be available on the Council's [website](#).
- 5.3 As SPDs are not development plan documents, the Council is not required to include them in the Local Development Scheme. They are included here for information only.
- 5.4 **Community Infrastructure Levy:** The Council will review the option of introducing a new Community Infrastructure Levy (CIL), as part of its forthcoming new Local Plan, to fund certain elements of future infrastructure, potentially of a District wide significance. The latest Government policy and guidance will be taken into account in this review.

6. Other documents

- 6.1 **Policies Map:** The Local Plan Policies Map will be revised as appropriate as part of the new Local Plan. The Policies Map will identify policy designations, proposals and sites allocated for particular land uses.
- 6.2 **Sustainability Appraisal (incorporating Strategic Environmental Assessment):** A Sustainability Appraisal will be undertaken for the new Local Plan and for Supplementary Planning Documents where required. The main aim of this process, which runs in parallel with the preparation of plans, is to ensure that the social, economic and

environmental effects of emerging policies are understood and taken into account. The process will follow guidance at the time.

- 6.3 **Appropriate Assessment:** An Appropriate Assessment is prepared at each published stage of a Development Plan to show whether the policies will have significant effects on sites subject to the constraints of the Habitats Regulations Assessment of European Importance.
- 6.4 **Monitoring and Review – Authority’s Monitoring Report:** Local planning authorities are required to publish a report that monitors the progress and implementation of each document set the Local Development Scheme. It must specify whether adopted policies are meeting their stated objectives. In addition, it must include:
- Details of any neighbourhood development order or a neighbourhood development plan made by the Council;
 - Any Community Infrastructure Levy related receipts and expenditure; and
 - Details on where the Council has worked with other authorities in accordance with the ‘duty to cooperate’.

The latest Council monitoring report is available [here](#).

- 6.5 **Statement of Community Involvement (SCI):** This document explains how parties with an interest in planning issues in the District can engage with the planning system. Essentially its sets out who, when and how the authority will consult when developing new planning policy and processing planning applications. The latest version of the Statement of Community Involvement was adopted by the Council in February 2020 and is available [here](#). The Council is keen to encourage the use of the [Strategic Planning Consultation Portal](#) as a means of engaging stakeholders and the public and this is reflected in the Statement of Community Involvement.

7. Other factors impacting on Local Plan preparation

- 7.1 **Evidence Base:** A number of studies were prepared to support the production of the Local Plan. Updated and additional evidence will be prepared to inform the preparation of the new Local Plan. This is published on the Council’s website on the [supporting evidence](#) webpage wherever possible. Otherwise, a hard copy will be made available for inspection.
- 7.2 **Duty to Cooperate:** Given the importance attached to the ‘Duty to Cooperate’, the Council is putting procedures into place to ensure effective collaboration with neighbouring local authorities, other local authorities within the Leicester and Leicestershire Housing Market Area and other public bodies, particularly on strategic planning issues that

span district council boundaries. Both member and officer groups are established to facilitate this process.

7.3 Council Procedure and Reporting: The preparation of the Local Plan will be informed, monitored and approved as appropriate by Harborough District Council through:

- Member engagement, including the Planning, Environment and Waste Portfolio Holder, Strategy Portfolio Holder and Chair of Planning Committee and other councillors;
- The Council's Cabinet; and
- The Council.

7.4 Resources: The following officers of Harborough District Council will be involved, to varying degrees, in preparing the Local Plan:

- Director of Planning and Regeneration
- Strategic and Local Planning Manager
- Principal Planning Policy Officer
- Senior Planning Policy Officer (2.3 FTE)
- Planning Policy Officer (0.5 FTE)
- Planning Policy Assistant (0.5 FTE)
- Neighbourhood and Green Spaces Officer
- Additional external support as necessary.

7.5 Risk Assessment: It is important that the risks associated with delivery of the Local Plan are acknowledged and mitigating measures put in place to avoid adverse impact on the delivery of the LDS. The main risks to delivery have been identified together with proposed mitigation measures:

- **Staffing**

The need for additional staff resources may occur through sickness, staff turnover or volume of work.

Mitigation measures: succession planning, continual professional development through appraisals, liaison with Local Planning Advisory Panel, liaison with Director of Planning and Regeneration over recruitment, secondment arrangements, temporary cover arrangements, additional external resources.

- **Evidence**

Delay to Plan progress if relevant evidence at Leicestershire-wide level is delayed.

Mitigation measures: Full involvement in process, timely provision of information/comments for consultants, close monitoring of adherence

to project timescales, ensure project group are aware of Local Plan deadlines. Should significant delay be experienced in the preparation of evidence, which the Local Plan relies upon, an amendment to the Local Development Scheme will be prepared and presented for consideration.

- **Political Decision-making**

Politically contentious issues may require unforeseen procedures to resolve.

Mitigation measures: Internal process arrangements provide a number of opportunities for District Councillors to meet and discuss emerging policies and proposals with officers including: Portfolio Holder meetings, Member engagement in Local Plan preparation, all-Member workshops and briefings, the formal approval of documents at Cabinet and Council meetings.

- **Duty to Cooperate (DtC)**

Local planning authorities must demonstrate how they have complied with the Duty to Cooperate at the independent examination of their local plan. If a local planning authority cannot demonstrate to the examination inspector that it has complied with the Duty then the local plan will not be able to proceed further in the examination process. In preparing local plans, local planning authorities have to bear in mind that cooperation should produce effective and deliverable policies on strategic cross boundary matters.

Mitigation measures: Ensure a good understanding of the requirements of the duty to cooperate at an early stage through clarity on the legislative framework, accompanying guidance and lessons from inspectors' reports. This then needs to be translated into officer and member involvement in appropriate structures for evidence gathering and agreement on strategic issues. Appropriate ongoing engagement with partners on identified Duty to Cooperate issues will take place involving one to one engagement where appropriate, stakeholder meetings and workshops. The preparation of Statements of Common Ground with relevant partners will identify strategic cross boundary issues and identify the mechanisms to address such issues, including the preparation of joint evidence.

- **Changes to National Planning Policy and legislative framework**

From time to time the NPPF and National Planning Practice Guidance is updated. The NPPF was most recently update in July 2021. The Planning Practice Guidance is updated regularly. Any changes to these documents will need to be taken into account. In addition, following Government consultation on the Planning White Paper in August 2020,

further changes to the planning legislative framework are expected in due course.

Mitigation measures: Closely monitor new policy and practice guidance, anticipate changes to national policy and its implications at the Housing Market Area level, build flexibility into plan and work closely with neighbouring local authorities in respect of the Duty to Cooperate on strategic priorities. Should changes to Government policy or legislative framework impose additional requirements and therefore additional time to resolve, an amendment to the Local Development Scheme will be prepared and presented for consideration.

• **New/Revised Procedural Requirements**

The preparation of the Local Plan will be carried out under the Town and Country Planning (Local Planning) (England) Regulations 2012.

Mitigation measures: Pay close attention to the new regulations and any revised legal processes. Should changes to the legislative framework impose additional requirements and therefore additional time to resolve, an amendment to the Local Development Scheme will be prepared and presented for consideration.

• **Financial Resources**

Undertaking evidence gathering projects, public consultation events and the formal Examination of the final new Local Plan require significant financial resources. Any additional unforeseen costs would place a further burden on the budget.

Mitigation measures: Close monitoring of the new Local Plan preparation budget and likely future commitments.

- 7.6 Equality Impact Assessment: An Equality Impact Assessment will be undertaken in conjunction with the preparation of the Local Plan to consider the likely effects of new and/or changing policies on people with protected characteristics (see the Council's [website](#)). This will help the Council to ensure that the needs of people are taken into account when developing and implementing the Local Plan.

8 Timetable for new Local Plan

- 8.1 The following timetable sets out the key stages in the preparation of the new Local Plan for Harborough District.

Local Development Scheme (September 2021): New Local Plan preparation timetable

Stage	2021				2022					2023					2024					2025											
	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M
Reg 18 Consultation																															
Reg 19 Proposed Submission Consultation																															
Submission for Examination																															
Local Plan Adoption*																															

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Appendix 1: Documents to be used as material consideration in the determination of planning applications

Supplementary Planning Guidance Notes to be replaced by Development Management SPD: (available on the Council's website)
Note 1: Design principles to be applied in Harborough District
Note 2: Residential Development- Major Housing Sites
Note 3: Single Plot Development and Development of Small Groups of Dwellings, including Development within Conservation Areas
Note 4: Residential Development in the Countryside
Note 5: Extensions to Dwellings
Note 6: Agricultural and Equestrian Buildings and Development for Sport and Recreation
Note 7: Industrial and Commercial Layout and Design Criteria
Note 8: New Uses for Old Buildings- A Guide to their Conversion
Note 9: Landscape and New Development
Note 10: Trees and Development
Note 11: Hedges and Development
Note 12: Lighting in Town and Country
Note 13: Crime Prevention and Reduction
Note 14: Access for People with Disabilities
Note 15: Telecommunications Developments
Note 16: Superseded by Provision for Open Space, Sport and Recreation – Delivery Plan 2021
Note 17: Garden Extensions
Note 18: Working from Home
Note 19: Development and Flood Risk
Note 20: No Note 20
Note 21: Conservatories on Listed Buildings and Buildings of Character