



Harborough Local Plan

DUTY TO COOPERATE STATEMENT

March 2018

Contents

1	Introduction	3
2	The Duty to Cooperate	3
3	Strategic priorities	6
4	Joint working across the Housing Market Area.....	7
5	Compliance with the Duty to Cooperate – on going proactive stakeholder engagement ..	10
6	Spatial Strategy for Harborough – identified Duty to Cooperate matters.	15
	Housing Need	15
	Housing Requirement	16
	Housing Provision	16
	Employment needs	16
	Aligning housing and employment	17
7.	Summary of Local Authority & Prescribed Body Responses to the Submission Local Plan Consultation (Regulation 19).....	18
8.	Leicester & Leicestershire Strategic Growth Plan.....	23
	APPENDIX A: Duty to Cooperate - Summary Matrix	24
	APPENDIX B: Leicester & Leicestershire Authorities Joint Statement of Co-operation Relating to Objectively Assessed Need for Housing November 2017.....	41
	APPENDIX C: Correspondence from Leicester City on Transport Matters (January 2018)	46
	APPENDIX D Letters received by HDC from HMA authorities with unmet OAN	47
	APPENDIX E: Correspondence with Warwickshire County Council (December 2017)	55
	APPENDIX F: Correspondence from the East Leicestershire & Rutland CCG	56

Duty to Cooperate Statement

1 Introduction

- 1.1 This statement demonstrates how Harborough District Council has complied with the Duty to Cooperate (the Duty) to date in preparing the Local Plan 2011- 2031. It sets out the ways in which the Council has collaborated and cooperated with other public bodies, stakeholders and organisations in preparing the Local Plan.
- 1.2 Under the Localism Act 2011¹ and the National Planning Policy Framework (NPPF) local authorities have a duty to address strategic planning matters in their local plans. The Duty to Cooperate is the mechanism for ensuring that this happens. The Duty requires constructive, active and ongoing engagement on the preparation of development plan documents and other activities in relation to the sustainable development and use of land.
- 1.3 Local planning authorities must demonstrate how they have complied with the Duty at the independent examination of their local plan. If a local planning authority cannot demonstrate that it has complied with the Duty then the local plan will not be able to proceed further in the examination process.
- 1.4 Local planning authorities need to satisfy the examination inspector that they have complied with the Duty. 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.

2 The Duty to Cooperate

- 2.1 The Duty to Cooperate was introduced in the Local Act 2011 and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils and other public bodies (often referred to as 'prescribed bodies') to work together to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters. More specifically the Duty to Cooperate:
- relates to a 'strategic matter' defined as sustainable development or use of land that would have a significant impact on at least two local planning areas or on a matter that falls within the remit of a county council;
 - requires that councils set out planning policies to address such issues;

¹ [Localism Act 2011](#)

- requires that councils and other bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies; and
- requires councils to consider joint approaches to plan making.

2.2 The Duty to Cooperate is not a duty to agree. However, Planning Practice Guidance (PPG) makes it clear that local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their local plans for examination. The focus of this document is to present clear outcomes of the cooperation process to date.

2.3 The relevant prescribed local planning authorities and county councils for Harborough District are:

Leicestershire authorities:

- Blaby District Council;
- Charnwood Borough Council;
- Hinckley and Bosworth Borough Council;
- Leicester City Council;
- Leicestershire County Council;
- Melton Borough Council;
- North West Leicestershire District Council; and
- Oadby and Wigston Borough Council.

Non-Leicestershire authorities which adjoin:

- Corby Council;
- Kettering Borough Council;
- Northamptonshire County Council;
- Rugby Borough Council;
- Rutland County Council;
- Warwickshire County Council; and
- Daventry District Council.
- There are joint planning arrangements in North Northamptonshire (the North Northamptonshire JPDU reports to the North Northamptonshire Joint Committee).

Other relevant authorities (see paragraph 2.5):

- Coventry;
- Nuneaton & Bedworth; and
- North Warwickshire District Council

2.4 Harborough District Council has developed a particularly strong relationship with the Leicester and Leicestershire authorities. The recently completed Housing and Economic Needs Assessment (HEDNA) 2017² confirmed Leicester and Leicestershire as the Housing Market Area (HMA) and the Functional Economic Market Area (FEMA). There is a long history of cooperation and working on joint evidence documents.

2.5 It is important to note however that some strategic planning issues have the potential to impact beyond HMA and FEMA involving neighbouring local authority areas. One such issue is strategic storage and distribution (large B8 uses in units in excess of 9,000 sq. m.). This has required the Council to cooperate with additional local authorities which do not adjoin the District boundary but have a spatial relationship with the District. These are identified as other relevant authorities in paragraph 2.3.

2.6 As well as applying to local authorities, the Duty also applies to a number of other “prescribed” bodies. Regulation 4 of the Town and Country Planning (Local Planning)(England) Regulations 2012 sets out who those “prescribed” bodies are. Those bodies which are relevant to the preparation of the Local Plan are as follows.

- The Environment Agency;
- Historic England;
- Natural England;
- The Civil Aviation Authority;
- The Homes and Communities Agency;
- Clinical Commissioning Groups;
- The Office for Rail Regulation;
- Highways England;
- Leicestershire County Council (Highway Authority);
- The Leicester and Leicestershire Enterprise Partnership; and
- The Leicestershire Local Nature Partnership.

² [Housing and Economic Needs Assessment 2017](#)

- 2.8 These bodies or their predecessors have been consulted as part of the ongoing continual engagement in the preparation of the Local Plan, as well as in the formal stages of consultation.
- 2.9 The Local Plan examination will test whether the Council has complied with the Duty. If not addressed properly the Inspector will recommend that the Local Plan is not adopted and the examination will not proceed any further.

3 Strategic priorities

- 3.1 Paragraph 156 of the NPPF identifies the strategic priorities that the Local Plan should deliver and where co-operation might be appropriate:
- the homes and jobs needed in the area;
 - the provision of retail, leisure and other commercial development;
 - the provision of infrastructure for transport, telecommunication, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - the provision of health, security, community and cultural infrastructure and other local facilities: and
 - climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.
- 3.2 Paragraph 162 of the NPPF makes it clear that the Council should work with other local planning authorities and providers to assess the quality and capacity of a range of infrastructure types (including transport, energy, telecommunications, utilities, waste, health, social care, education and flood risk) and its ability to meet forecast demands. It also highlights the need for the Council to take into account the need for strategic infrastructure including nationally significant infrastructure.
- 3.3 Paragraphs 178 to 181 of the NPPF identify that public bodies have a Duty to Cooperate on planning issues that cross administrative boundaries, particularly those related to strategic priorities, and joint working should enable local planning authorities to work together to meet development requirements which cannot be wholly met within their areas. It also identifies that co-operation should be a continuous process of engagement to ensure that plans are in place to provide the infrastructure necessary to support current and projected future levels of development. Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their local plans are submitted for examination.
- 3.4 The NPPF also sets out the tests of soundness which will be used in the examination of local plans. In order to be 'sound' the plan must be positively

prepared, justified, effective and consistent with national policy. Two of these tests relate specifically to the Duty to Cooperate. The plan must be:

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development; and
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategy priorities.

3.5 Whilst the NPPF sets out examples of strategic planning issues where cooperation might be appropriate, it is up to individual local authorities to compile their own list to reflect local circumstances. Early in 2016 following the Local Plan Options Consultation, the Council consulted the prescribed bodies in order to confirm the District's strategic planning issues on which to base future dialogue. The strategic planning issues were confirmed as:

- SP1: Meeting the housing and employment needs of the housing and economic market areas;
- SP2: Assisting other local authorities to meet their unmet housing need;
- SP3: Meeting regional and national demand for strategic distribution (logistics) development;
- SP4: Meeting the accommodation needs of Gypsy and Travellers;
- SP5: Providing transport and other infrastructure to support new development;
- SP6: Providing for strategic green infrastructure (e.g. Green Wedges);
- SP7: Protecting and enhancing biodiversity and geodiversity;
- SP8: Providing for retail needs;
- SP9: Minimising Floodrisk; and
- SP10: Safeguarding land needed for minerals and waste.

4 Joint working across the Housing Market Area

4.1 Across the Leicester and Leicestershire Housing Market Area (HMA) there has been wide ranging co-operation, particularly in respect of joint evidence gathering, and some that pre-dates the Duty to Cooperate requirement. The Summary Matrix provided in Appendix A lists all relevant joint evidence by strategic priority.

4.2 There are a number of officer forums within the Leicester and Leicestershire Housing Market Area (HMA) which aim to promote joint work and to address key strategic priorities such as delivery of housing, employment and key infrastructure by local planning authorities, the County Council and the Leicester and Leicestershire Enterprise Partnership. These are as follows:

- Leicester and Leicestershire Strategic Planning Group (formerly known as the Housing, Planning and Infrastructure Group (HPIG));

- Planning Officers' Forum (POF);
 - Development Control Forum; and
 - Development Plans Forum (DPF).
- 4.3 The role of Strategic Planning Group (SPG) is to oversee policy development for spatial planning, housing and infrastructure amongst Leicestershire local authorities. The Group meets regularly and is attended by senior management/director level representatives from all authorities across the HMA (including Leicestershire County Council).
- 4.4 SPG has overseen the commissioning and running of joint evidence, (including the Leicester and Leicestershire Housing and Economic Development Needs Assessment 2017 (HEDNA), Leicester and Leicestershire Gypsy and Traveller Needs Assessment Update 2017, and Leicester and Leicestershire Strategic Flood Risk Assessment 2017) and provides a forum at a high level for discussing common issues and developing understanding. It provides a direct link to the work of the LLEP and is currently leading on, at officer level, the preparation of a Combined Authority bid and the development of a Strategic Growth Plan (SGP) for the HMA (see from paragraph 8.1 for more information).
- 4.5 The Planning Officers' Forum (POF) is a formal meeting of Chief Officers (or their nominee) responsible for planning and transport services within the HMA. The Forum provides professional advice to the Strategic Planning Group, which supports its overall direction and work programme, and the Chair of POF represents the views of the wider Forum at meetings of SPG. POF meets regularly in synergy with SPG. The Development Plans Forum (DPF) is a formal meeting of the managers responsible for planning policy and transport policy within the HMA. It reports to POF with the Chair attending POF as required.
- 4.6 The work of SPG and the subsidiary officer groups is overseen by a Member Advisory Group (MAG) which comprises of an Elected Member from each local authority (typically the Portfolio Holder for Planning), plus an observer from the LLEP. The MAG meets on a regular basis and its role is advisory. Any proposals or recommendations of MAG are not binding on the constituent member authorities. Any decisions regarding proposals for the development and/or implementation of any statutory or non-statutory Strategic Growth Plan remain the responsibility of each individual member authority.
- 4.7 In addition to the Strategic Growth Plan, SPG have also overseen work on a Memorandum of Understanding (MoU). A MoU was produced primarily to support Charnwood Borough Council during the Examination in Public of its Core Strategy in 2014 and was informed by the 2014 Strategic Housing Market Assessment. At this time all authorities could met their own Objectively Assessed Need (OAN) for housing and the MoU confirmed this position. However, the HEDNA 2017 produced new housing numbers (to 2031 and 2036) which led to Leicester City Council and Oadby & Wigston Borough Council (OWBC) declaring an unmet

housing need (although OWBC have subsequently clarified that they can meet their OAN in the HEDNA to 2031 – see Appendix D).

4.8 A Working Group was set up to establish a new MoU. There is a three-stage process to achieving a new MoU for the Leicester and Leicestershire HMA comprising the preparation of the following documents:

1. A 'Joint Statement on Collaborative Working' for use by North West Leicestershire District Council was prepared in October 2016 (prior to publication of the HEDNA) to support the submission of their Local Plan. The Examination Hearings took place in early 2017, with delayed hearing sessions on OAN to await the publication of the HEDNA. The Inspectors Report found the Plan Sound in October 2017, subject to certain modifications. Much of this statement was factual relating to current, past and future actions on joint working which have already been agreed between the authorities. The statement was formally agreed by Harborough District Council in January 2017.
2. A Joint Statement of Co-operation Relating to Objectively Assessed Need for Housing, was agreed in February 2017 at the same time as the HEDNA was published. This statement was updated in November 2017 to support those authorities submitting Local Plans in advance of the Strategic Growth Plan and accompanying MoU. It sets out the OAN for each authority in the HMA based on the HEDNA; the 'known' housing capacity of each authority (based on planning permissions, allocations, and strategic housing land availability assessments). This statement has been agreed by all HMA authorities (the document is in Appendix B).
3. A 'final MoU' which sets out the OAN and the agreed distribution of any unmet housing need to 2031. The MoU cannot be produced until the scale of any unmet need from Leicester City is known. This is anticipated to be summer 2018..

4.9 The first and second stages of the three stage process set out above are now complete. The agreed Joint Statement of Cooperation (November 2017) is provided in Appendix B. This Joint Statement confirms that Leicester City is the only authority in the HMA that cannot meet its housing needs and that there is considerable flexibility to meet the OAN for housing across the HMA.

4.10 The final stage of the MoU is anticipated in autumn 2018. Alongside this process joint work has been ongoing to produce a Strategic Growth Plan for Leicester and Leicestershire, and consultation has taken place on a draft version. This is a non-

statutory plan that will set out an agreed strategy for the period up to 2050 (further details on this are set out in paragraph 8.1 below).

5 Compliance with the Duty to Cooperate – on going proactive stakeholder engagement

5.1 Work commenced on the Harborough Local Plan in 2012. Throughout the preparation process collaborative working and engagement has been undertaken with stakeholders in ensuring strategic and cross boundary planning issues are addressed in line with the duty.

5.2 In addition to ongoing and proactive stakeholder engagement the following public consultations have been undertaken:

- **Scoping consultation March – April 2013:** This first consultation sought to gather the views of interested parties on the proposed contents of the new Local Plan. These views were used to finalise the scope of the Plan to inform the identification of any further evidence base requirements. The report and responses can be found following the link:http://www.harborough.gov.uk/directory_record/462/new_local_plan_scoping_consultation
- **Options consultation September – October 2015:** The consultation sought views on nine alternative options for locating housing and employment, together with other proposed policy approaches. The alternative options report and responses can be found following the link:http://www.harborough.gov.uk/downloads/file/1595/new_local_plan_options_consultation_paper
- **Harborough Local Plan 2011 to 2031: Proposed Submission – September to November 2017:** The Consultation Statement contains a summary of the responses and main issues arising from the consultation. The main issues raised by the prescribed bodies are set out below in Chapter 7 of this document.

5.3 In addition to the public consultations mentioned in paragraph 5.2, a number of Duty to Cooperate Workshops have been coordinated by the Council to discuss key matters with relevant officers of local authorities and prescribed bodies.

Strategic Distribution (B8 units with floorspace greater than 9,000 sq. m.)

5.4 Harborough is located in area of high national demand for strategic distribution. Magna Park is an existing 223 hectare strategic and warehousing distribution park located within Harborough District. It is significant in economic terms to the District, wider HMA and is a nationally recognised distribution centre. Recognising

this as a Strategic Priority, a Duty to Cooperate engagement exercise was undertaken in November 2015 on options for Strategic Distribution and a further consultation was undertaken between February and March 2016.

- 5.5 This further consultation was on a Sustainability Appraisal technical report which specifically appraised the alternative options that were being considered by the Council to provide for strategic distribution. This included locations at or adjoining Magna Park. In addition, the report outlined the broad implications of each option for Leicester and Leicestershire as well as the wider area.
- 5.6 The consultation outcomes informed the development of Policy BE2 which was included within a working draft of the Proposed Submission Local Plan Second Draft.
- 5.7 During May 2017 an informal consultation on the emerging Local Plan (Proposed Submission Local Plan Second Draft) was undertaken with Duty to Cooperate partners. In addition to the comments sought on the working draft Local Plan, a Duty to Cooperate workshop was arranged by the Council to discuss the emerging Local Plan policies in detail with officers. The main concerns raised during this consultation and at this workshop, related to the draft policy BE2 Strategic Distribution, and are summarised below:
- *'HDC should form a clear policy basis for Magna Park and the approach to strategic B8. The working draft version of the Local Plan did not propose an indication of the scale of growth during the plan period at Magna Park.'*
 - *'Substantive growth is proposed along the A5 corridor around Magna Park and Lutterworth. Any substantial growth needs to seek improvements with all related local authorities.'*
 - *'Further clarification was sought in terms of the employment land situation. It is not clear whether the proposed level of housing numbers reflect the proposed growth at Magna Park. The employment allocations do not consider the pending planning applications at Magna Park.'*
 - *'In relation to the housing target the Local Plan seeks to positively address unmet need from the HMA. Without viewing the MoU we are unable to comment on the soundness of the proposed housing target without knowing the level of unmet need across the HMA and the distribution method utilised'*
 - *'In terms of employment land provision, whilst not allocated in the Plan, the impact of Magna Park proposal could have on the housing and employment alignment is unclear... clarity is therefore sought in terms of employment allocations that are being planned for within the draft Local Plan and the wider FEMA and how this related to the evidence within the HEDNA'*
 - *Further to this it would be useful to know what impact strategic distribution development at Magna Park would have on commuting ratios particularly in relation to Coventry and Warwickshire authorities, in particular the A5/A426 corridors'*
 - *'the allocation or approval of the Magna Park schemes will also have an impact on the distribution of housing need/provision within the HMA through the Duty to Cooperate as highlighted in para 12.74 of the HEDNA, therefore this could have implications on the housing target contained within the draft plan'*

- 5.8 In response to the discussion at the May 2017 officer workshop, further evidence (the Magna Park Employment Growth Sensitivity Study) was commissioned by the Council to assess the potential impacts on housing need of different scenarios for strategic B8 growth at or adjoining Magna Park and to clearly align potential employment growth for strategic B8 and housing within the Local Plan.
- 5.9 A draft version of this Duty to Cooperate Statement and draft findings of the Magna Park Employment Growth Sensitivity Study, 2017; were circulated for comment to Duty to Cooperate Partners in July 2017 and discussed at a further Duty to Cooperate officer workshop on 26th July 2017. The main points raised during this consultation and workshop and are summarised below:

Draft Duty to Cooperate Statement

- 5.10 Only minor comments were made regarding factual omissions and have been addressed in this version as appropriate.

Draft Magna Park Employment Growth Sensitivity Study, 2017

- 5.11 A number of clarification comments were made which have been addressed in the Final Magna Park Employment Growth Sensitivity Study.

Draft Policy BE2 (previously E2) Strategic distribution

- 5.12 A number of detailed comments were received on draft policy BE2 as summarised below:

Organisation name	Comments	Harborough District Council Response
Kettering Borough Council	<i>Criteria should be covered in more detail and be less ambiguous defining what new proposals would be required to demonstrate in order to be considered acceptable. For example, using such terms as “nearby” and “include measures” are not clear and require further clarification. The policy, therefore, needs to be accompanied with a set of reasoned justification.</i>	Policy will be amended to reflect comments.
Kettering Borough Council	<i>Policy also does not seek the preparation of a master plan to guide new development, nor seek to ensure that any such proposals include appropriate sustainable credentials. For example, use of public transport, walking and cycling; high standards of design and environmental performance; ensuring sufficient infrastructure; reducing impacts on the landscape etc.</i>	These matters are dealt with in revised criteria f as well as other Local Plan policies
Daventry DC	<i>Part a) It is not clear how the term ‘well—related to Magna Park’ is intended to operate- in strategic freight terms this could cover a relatively wide geographical area if served by the same Highway network.</i>	Policy wording amended to ‘adjoining’ to clearly limit geographic location.

Daventry DC	<i>Clarity on the relationship with Part 2 a) and b) with c) and d) is needed – currently it is not clear whether these are ‘and’ or ‘or’</i>	Policy wording amended to clarify a) ‘and’ b) ‘or’ in response to comments received.
Daventry DC	<i>Has an assessment been carried out to inform whether 700,000 sqm can meet the policy objectives of parts 2b and 2d of the policy – if this hasn’t taken place and there would be adverse impacts then it could have implications for the deliverability of the policy. A clearer approach would be to first assess what scale of development at Magna Park could be accommodated in relation to these tests and then identify that scale as the amount of development to be accommodated in the policy itself. Testing the quantum of development at Magna Park in this way could also have wider implications for the plan and the outcomes for additional housing identified in the GL Hearn Study.</i>	No assessment has been made as to whether the proposed maximum floorspace limit would have an impact on existing and proposed strategic rail freight interchanges (SFRI) (2b) as it is considered that the scope and scale of such a study would not be proportionate or conclusive. It is considered that the existing requirement set out in criteria 2b provides sufficient protection and consideration of SFRIs.
Daventry DC	<i>Some reference to wider environmental and sustainability constraints would be helpful.</i>	Policy amended to include reference to adverse environmental, community or landscape impacts on immediate or wider surrounding area
Daventry DC	<i>Any associated infrastructure to be provided by the development to make it acceptable should be set out in the policy.</i>	This is dealt with in Policy IN1
Daventry DC	<i>In terms of the level of employment being planned for at Magna Park in the policy – the following extract from the WNJCS inspectors report (Para 65- attached in full for convenience) related to DIRFT is relevant and could be acknowledged in the supporting text/wider evidence base; The plan supports further growth at DIRFT, near Daventry. This is a very large rail connected storage and distribution operations base, the scale of which is of national and regional importance as a strategic logistics centre. It has inter modal terminals to facilitate increased rail freight usage and a recent “track record” of delivery.</i>	Noted
Daventry DC	<p><u>Process</u></p> <p><i>The study [Draft Magna Park Employment Growth Sensitivity Study, 2017] clearly identifies that the extensions to Magna Park will have a significant impact, resulting in additional homes to be provided for in Harborough District and also consequential duty to cooperate issues related to the potential need to provide additional housing in adjoining authorities. Therefore we would recommend that any decision on the respective applications is put on hold until after the plan has passed through the examination process. This would allow these issues to be fully considered.</i></p> <p><i>We would also bring your attention to the guidance on Prematurity – in particular Part (a) which we consider is relevant to the cumulative scale of development at Magna Park - (a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine</i></p>	<p>DDC have raised the issue of prematurity in relation to the determination of the planning applications related to Magna Park. DDC have referred to Part (a) of the PPG guidance on the issue, however, they have not referred to the further, and more pertinent element of the guidance, in this case Part 9 (b). Part b) of the guidance states that in cases where:</p> <p><i>“(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.</i></p> <p><i>Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for</i></p>

	<p><i>the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging <u>Local Plan</u> or <u>neighbourhood planning</u>;</i></p>	<p><i>examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.</i></p> <p><i>Paragraph: 014 Reference ID: 21b-014-20140306</i></p> <p><i>Revision date: 06 03 2014”</i></p> <p>Part (b) and the text that follows it (set out above) are particularly pertinent in this situation. The planning applications were received in 2015 and are currently due for consideration by Planning Committee in November 2017. The current timetable for the Local Plan includes submission in Spring 2018; after the consideration of the planning applications. Therefore, on the basis of the above guidance, the refusal of the applications on grounds of prematurity is unlikely to be justified.</p>
NWLDC	<p><i>Not clear how the 700,000 sq m relates to the needs identified in the SDSS which identifies need in terms of land take, but your proposed policy uses floorspace. We need some clarification</i></p>	<p>SDSS 2014 & 2016) The study are minimum requirements, not ‘targets’ or maximum levels.</p> <p>Completions/ commitments in HDC are sufficient to meet the minimum for non rail-served sites need however; market demand for sites in this district remains high.</p>
NNJPU	<p><i>Policy 24 of the JCS is attached and can also be viewed by the following link: http://www.nnjpu.org.uk/publications/docdetail.asp?docid=1573. You may wish to include the issues covered in criteria c)-g) within Policy BE2 to strengthen the Policy and assist its implementation. We are happy to discuss this further, if necessary.</i></p>	<p>Policy amended to include the impacts of 24 hour operations in the immediate or wider surrounding area following best practice example of similar policy adopted by NNJPU August 2016.</p>

5.13 In addition, Rugby Borough Council and Coventry City Council both stated that they wished to record a watching brief on the emerging policy.

5.14 The supporting Duty to Cooperate Summary Matrix (Appendix A) provides an overview of the key strategic priorities for Harborough District Council which require cooperation (as set out in Paragraph 3.5 above), and the mitigation work that has been undertaken to date (March 2018) and the key outcomes. The matrix

also highlights how issues will be monitored through the implementation of the Local Plan.

- 5.15 The following sections summarise the key strategic priorities and highlight the identified Duty to Cooperate matters.

6 Spatial Strategy for Harborough – identified Duty to Cooperate matters.

- 6.1 A key aspect of the Local Plan is to identify the amount of new jobs and homes needed in the District and then translating these in to the provision of sufficient land. Housing and economic needs are key issues that need to be addressed, and the Local Plan identifies how this need is to be met. Policy SS1 sets out the overall framework for the Local Plan, identifying the scale and distribution of new development to 2031 and the settlement hierarchy.
- 6.2 This section focuses on how the Council has worked with its Duty to Cooperate partners to arrive at the scale and distribution of new development in Policy SS1. Whilst housing and employment are also dealt with in separate policies, it is recognised that there are strong interrelationships between the two.

Housing Need

- 6.3 Housing needs and the distribution of housing is one of the key issues that the Local Plan must address and where co-operation is required across the HMA. The National Planning Policy Framework (NPPF) requires local planning authorities to identify the housing market area and the housing needs (market and affordable) for the HMA. A local plan should aim to meet the objectively assessed housing needs of the area. If housing needs cannot be accommodated within the authority where it arises, co-operation is required within the HMA.
- 6.4 The Housing and Economic Development Needs Assessment 2017 (HEDNA) is an integrated assessment of future housing needs, the scale of future economic growth and the quantity of land and floorspace required for B-class employment development across Leicester & Leicestershire, which the report defines as representing the relevant Housing Market Area (HMA) and Functional Economic Market Area (FEMA). It is a significant joint evidence base for all 9 HMA local authorities across Leicester and Leicestershire. The HEDNA calculated the full objectively assessed need for Harborough to be 532 dwellings per annum between 2011–2031 (10,640 dwellings).
- 6.5 One of the outcomes of the ongoing cooperation with the prescribed bodies was further evidence to consider the potential impact on housing requirements of strategic storage and distribution growth scenarios at or adjoining Magna Park. The Magna Park Employment Growth Sensitivity Study, 2017 concluded that the HEDNA's objectively assessed housing needs (OAN) remain true and robust both for the Leicester and Leicester HMA and Harborough District. The study also indicated that 700,000 sq. m strategic B8 floorspace could be accommodated

without the need to significantly increase the housing requirement above the OAN for Harborough or surrounding Districts.

Housing Requirement

- 6.6 Notwithstanding the findings above, taking into account Objective 2 of the Local Plan (particularly reducing the need for out-commuting and thereby helping to increase the sustainability and self-containment of communities (from 19% currently to 25% in future)), there is a need for a small redistribution of housing growth across the Leicester and Leicestershire area. This re-distribution would lead to a modest increase in housing requirements in Harborough District (25 dwellings per year) over and above the OAN. This is reflected in the housing requirement (in Policy SS1 and H1) of 557 dwellings per annum or 11,140 over the plan period.
- 6.7 In this respect, 700,000 sq. m is considered to be the maximum amount of storage and strategic distribution development that could be accommodated at or adjoining Magna Park, without the need for significant redistribution of housing across the HMA.
- 6.8 Harborough is able to meet all of its objectively assessment housing need and requirement within the district; this is evidenced by the Strategic Housing Land Availability Study (SHLAA 2016).

Housing Provision

- 6.9 Leicester City Council is the only authority that has an unmet need and has requested that other authorities within the HMA ensure there is sufficient flexibility to accommodate this unmet need within emerging Local Plans. The letter received is contained in Appendix D.
- 6.10 The Local Plan includes a level of housing provision 20% above the OAN, bringing the total housing land provision to 12,800 dwellings 2011 - 2031.
- 6.11 The scale and distribution of any unmet need from Leicester City Council is unknown at present. Once quantified, the HMA authorities will work together to ensure that the need is met and the Joint Statement of Cooperation (Appendix B) shows that there is considerable flexibility to accommodate the overall HMA wide housing need. The Local Plan also includes a trigger for review in Policy IMR 1, reflecting the agreement of the HMA authorities in the Joint Statement of Co-operation.

Employment needs

- 6.12 The Leicester and Leicestershire HEDNA also provides the evidence for the provision of new employment within the district; the HEDNA identifies a gross need for B class employment land (excluding strategic B8) as a minimum of 51 hectares between 2011 – 2031.
- 6.13 In order to ensure there is sufficient land to meet the employment requirements and to ensure there is sufficient flexibility within supply to replace poorer quality

existing employment floorspace the local plan makes a provision of 75 hectare of general employment floorspace between 2011 – 2031.

- 6.14 The need for further strategic distribution facilities was identified in the 2014 and 2016 Leicester and Leicestershire Strategic Distribution Sector Study (SDSS). The study identifies a minimum gross land requirement for strategic B8 development including provision for non-rail served sites of 152 hectares up to 2031 across the HMA.
- 6.15 As a positive response to previous discussions with Duty to Cooperate partners in May (see paragraph 5.7) the Council commissioned the Magna Park Employment Growth Sensitivity Study 2017 to provide further evidence to clarify the approach to growth at Magna Park and assess any housing impacts as a result of any employment growth in addition to both the SDSS and HEDNA provision. The findings are discussed in paragraphs 6.18 below.
- 6.16 Policy BE2 sets the maximum provision of 700,000 sq. m of strategic B8 floorspace at or adjoining Magna Park up to 2031, subject to certain criteria being met.

Aligning housing and employment

- 6.17 One of the outcomes of the Duty to Cooperate process was the Magna Park Employment Sensitivity Study which informs the maximum 700,000 sq. m of floorspace in Policy BE2 Strategic Distribution. SP3: Meeting regional and national demand for strategic distribution (logistics) development is a key strategic priority for the Local Plan and Policy BE2 supports this objective and safeguards the site in sustaining its role as a regional and nationally important strategic distribution site.
- 6.18 In assessing the economic and housing impact of 700,000 sq. m at or adjoining Magna Park, the Magna Park Employment Sensitivity Study 2017 concluded:
- Whilst some of the potential job creation at Magna Park would result in additional job creation compared to the HEDNA Planned Growth Scenario and would raise the economic-led need for housing relative to HEDNA assumptions, it does not have an overall impact on the OAN for Harborough or the HMA. The HEDNA OAN at the HMA level of 4829 dpa 2011 – 2031 is sufficient to accommodate the additional workforce growth arising from Magna Park.
 - Employment growth associated with 700,000 sq. m at or adjoining Magna Park will influence the spatial distribution of employment growth for strategic distribution jobs between authorities within the HMA relative to the HEDNA Planned Growth Scenario, however this does not impact on the OAN for the HMA or other authorities.
 - The impact on Harborough District indicates a need for 557 dwellings per annum to accommodate additional housing needs and to increase the level of self-containment based on a 25% commuting ratio. This is slightly above the objectively assessed need of 532 dwellings per annum for the district and the local plan housing requirement has been updated. The housing provision, as identified by SS1 provides a flexibility allowance and is set at 640 dwellings per annum.
 - The modest 'upside' to currently assessed housing figures in Oadby and Wigston (4 dwellings), and Daventry (6 dwellings) are not considered to be significant and within a

margin of error for the study. There is therefore no impact on OAN for these or any other authority.

- 6.19 The Council consulted Duty to Cooperate partners on the draft findings of this study (see 5.11 above) and the responses from all authorities raised no objections to the findings of the study or the Local Plan approach at that time. Although Rugby Borough Council and Coventry City Council both stated that they wished to record a watching brief on the emerging policy on strategic distribution.

7. Summary of Local Authority & Prescribed Body Responses to the Submission Local Plan Consultation (Regulation 19)

- 7.1 Harborough District Council Published the Submission Local Plan for Public Consultation in September 2017. As part of this Consultation, responses were received from several Duty to Cooperate bodies. None of the responses state that the Council has failed the Duty to Cooperate, and is considered that engagement has been constructive active and ongoing as set out in this document. Some of the responses raise issues that are not considered to be strategic (i.e. do not affect more than one local planning area). The table below contains the Duty to Cooperate bodies; a summary of the main strategic matters raised; and any response regarding further cooperation. The Council will continue to work with partners on matters raised, and where appropriate agree Statements of Common Ground to help the Examination process:

Leicestershire authorities:

Duty to Cooperate body.	<i>Summary of the main strategic issues received through the formal consultation on the Local Plan; Proposed Submission.</i>	Further engagement post consultation.
Blaby District Council	<i>No response received.</i>	
Charnwood Borough Council	<i>No response received.</i>	
Hinckley and Bosworth Borough Council (HBBC)	<i>Not supportive of the approach taken to Strategic Distribution in Policy BE2 because it could; increase levels of out commuting from the Borough; potentially limit future employment growth in Leicester & Leicestershire, particularly Hinkley & Bosworth; increase saturation of Strategic Distribution in one area; and increase pressure on the A5.</i>	Officers from Harborough and HBBC met to discuss the representation on 11 th January 2018 to discuss the representation. It was confirmed that HBBC do not consider that the Council has failed to Duty to Cooperate and that both parties are happy to work together to

		produce a Statement of Common Ground.
Leicester City Council	<p><i>Welcomes the Strategic Priorities which refer to meeting housing and employment needs of the housing and economic market area. Appreciate that work is ongoing across the HMA on a MoU to identify how HMA wide need is accommodated and note the contingency in housing provision. Whilst this is welcomed, Leicester City would wish the Plan to go further to meeting the City's unmet housing need (e.g. by setting aside a specific amount housing land to meet it's unmet need, in advance of full HMA wide agreement on housing distribution).</i></p> <p><i>The City Council seeks further justification for the amount of employment land provision in Policy BE1.</i></p> <p><i>Transport - some modifications are suggested to improve the Plan.</i></p>	<p>Further clarification was sought in relation to highway matters after the Consultation closed in November 2017. A response from the City Council was received on 15th of January and is contained in Appendix C. <i>It confirms that the Leicester City Council Highway Authority is content that development allocated in the Local Plan is appropriately evidenced at this stage in the planning process (i.e. the Local Plan stage) and does not currently need further assessment.</i></p> <p>Harborough District Council will continue to Cooperate with Leicester City Council.</p>
Melton Borough Council	<i>Do not have any matters of concern.</i>	
North West Leicestershire District Council	<i>Do not wish to make any comments having reviewed the Local Plan.</i>	
Oadby and Wigston Borough Council	<i>Supports the Spatial Strategy (Policy SS1) and recognises the joint transport work (the Southeast Leicestershire Transport Strategy) between Leicester City Council, Leicestershire County Council, Harborough and Oadby & Wigston Borough Council.</i>	

Non-Leicestershire authorities which adjoin Harborough District Council:

Duty to Cooperate body.	Summary of the main strategic issues received through the formal consultation on the Local Plan; Proposed Submission.	Further engagement post consultation.
Corby Borough Council	<i>No response received</i>	
Kettering Borough Council	<i>Does not consider that site MH1 Overstone Park is a suitable location for residential development. Has some concerns that there is potential for there to be more need for Gypsy and Travellers than sites identified in the Local Plan. Kettering want to ensure that any need generated from households within Harborough is fairly represented in the provision of pitches within Harborough District.</i>	Harborough District Council will continue to Cooperate with Kettering as appropriate.
Northamptonshire County Council	<i>No response received.</i>	
Rugby Borough Council	<i>Unclear about whether the impact on the highway network outside of Leicestershire (in particular the A5 and A426 which are near Magna Park) has been considered, and queries whether sufficient consultation has taken place with Warwickshire County Council Highways Authority (WCCCHA).</i>	<i>A formal response from Warwickshire County Council (WCC) was not received during the regulation 19 consultation, so contact was made to clarify their position. The Council received a response from Warwickshire on 19th December which is attached at Appendix E. The response clarifies that WCC supports complimentary employment sites in Harborough that will attract investment and jobs. WCCCHA also confirms its commitment to work in partnership with Highways England and Leicestershire County Council, to accommodate the employment and housing growth identified at Lutterworth whilst ensuring the effective operation of the A5 and A426 Transport Corridors. In addition, Warwickshire County Council will take proactive measures in partnership with Harborough District Council, Rugby Borough Council and Leicestershire County Council to protect the communities of Pailton, Monks Kirby, Street Ashton and Stretton - under - Fosse from large vehicle movements through these settlements from Magna Park and Symmetry Park.</i>
Rutland County Council	<i>No response received.</i>	

Warwickshire County Council	<i>No response received,</i>	<i>Contact was made to clarify WCCs position and a response received on 19th December which is attached at Appendix E. No concerns were raised.</i>
Daventry District Council	<i>Do not consider the approach to Policy BE2 to be effective because the level of growth identified in the policy is not based on a thorough assessment of capacity and is not justified by the Leicester & Leicestershire Strategic Distribution Study.</i>	The Council will continue to cooperate with Daventry District Council as appropriate.
North Northamptonshire Joint Planning Unit	<i>No response received.</i>	

Other relevant authorities (see paragraph 2.5):

- 7.2 No responses were received to the formal consultation from Coventry, Nuneaton & Bedworth or North Warwickshire District Council.

Other Prescribed Bodies - Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012

DtC Body	Summary of the main strategic issues received through the formal consultation on the Local Plan; Proposed Submission.	Further engagement post consultation.
Environment Agency	<i>No strategic issues identified, however some wording amendments are suggested to certain policies.</i>	
Historic England	<i>No strategic issues identified. However Historic England object to the proposed allocation of the Lutterworth East SDA (Policy L1) as they consider that it would have a negative impact on the setting and significance of the Grade II* Church of St Leonard at Misterton and the Grade I* Church of St Mary at Lutterworth (and other non-designated heritage assets). Historic England would be happy to address this matter by Statement of Common Ground before the Hearing Sessions of the Examination.</i>	<i>The Council will continue to cooperate with Historic England to resolve any matters as far as possible and agree a Statement of Common Ground</i>
Natural England	<i>Have provided comments on previous iterations of the Local Plan and have nothing further to add except to welcome the commitment to continue to liaise with Natural England, the Environment Agency, the Lead Local Flood Authority and other stakeholders over the mitigation measures to protect the integrity of Misterton Marshes SSSI from any impacts arising from the proposed East of Lutterworth Strategic Development Area. Natural England also have no concerns with the Habitats Regulations Assessment and Sustainability Appraisal that accompany the Local Plan.</i>	

The Civil Aviation Authority	<i>No response received.</i>	
Homes and Communities Agency	<i>The HCA generally support process that has been undertaken, but would like the Stretton Hall Farm Site (which they own) to be considered as reserve site for housing.</i>	
Clinical Commissioning Groups (CCG)	<i>The East Leicestershire & Rutland CCG did not respond to the regulation 19 consultation.</i>	<i>Clarification was sought by Harborough District Council, on whether the CCG were content with the Local Plan. The CCG were involved in the preparation of the Infrastructure Delivery Plan and consulted along with the Duty to Cooperate Bodies in May 2017. The CCG confirmed on 27th November 2017, that they had nothing to add to their previous comments of contentment. This correspondence is contained in Appendix F.</i>
The Office for Rail Regulation	<i>No response received.</i>	
Highways England	<i>The East Lutterworth Strategic Development Area will impact upon Junction 20 of the M1. Highways England is aware of the scheme put forward which includes signalisation at M1 J20, A4303/A426 Frank Whittle signalised cross-roads and proposed signalled site accesses on the A4304. Highways England consider that proposed highway improvements are likely to be suitable. No objections are raised.</i>	
Leicestershire County Council Highway Authority	<i>The Local Highway Authority (LHA) is content that Local Plan is appropriately evidenced and appropriately deals with transport considerations.</i>	
The Leicester and Leicestershire Enterprise Partnership	<i>No response received.</i>	
The Leicestershire Local Nature Partnership	<i>No response received.</i>	

7.3 Taking into account the tables above, none of the bodies have stated that the Council has failed the Duty to Cooperate. The Duty to Cooperate is not a Duty to agree and it is considered that any outstanding matters are not the result of lack of constructive, active and ongoing engagement. The Council will continue to positively work with our Duty to Cooperate partners to address any issues arising.

8. Leicester & Leicestershire Strategic Growth Plan

- 8.1 All of the Leicester & Leicestershire Authorities have been working together to produce a non-statutory Strategic Growth Plan for Leicestershire that will cover the period up to 2050. Consultation on a Strategic Growth Statement took place in August 2016 and started the discussion publicly about the long term future of Leicester & Leicestershire. Since that time we have undertaken a considerable amount of joint work and commissioned studies to inform the Strategic Growth Plan (e.g. the HEDNA).
- 8.2 A consultation draft was published for comment on 11th January to 5th April 2018 (the document is available at <http://www.llstrategicgrowthplan.org.uk/>). It sets out a draft high level strategy that would be used to guide more detailed work in future Local Plans. It sets out a longer term growth strategy to align growth, infrastructure and services, and inform how longer term unmet needs could be met. An important part of the Strategic Growth Plan is to consider how unmet needs might be shared between Local Authorities. It focuses on the period post 2031. For the 2011 to 2031 period it is envisaged that this will be captured in a Memorandum of Understanding which is covered in paragraph 4.8 above.



Harborough Local Plan

APPENDIX A: Duty to Cooperate - Summary Matrix

September 2017

The matrix below sets out the strategic issues which the Local Plan needed to address as identified through consultation with prescribed bodies in early 2016. It summarises:

- How the Local Plan has addressed each strategic issue in policy terms;
- The potential impacts on Prescribed Bodies;

- The evidence which has informed consideration of the strategic issue and Local plan policy;
- How potential impacts have been mitigated;
- How the strategic issue will be monitored;
- Actions which the Council has taken in addressing the strategic issue;
- Whether the strategic issue is a Duty to Cooperate Issue, ie across 2 or more LPA's; and
- Whether it is resolved or an ongoing issue.

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
SP1: Meeting the housing and employment needs of the housing and economic market areas	<p>Policy SS1 identifies the spatial strategy for the district. In summary, it sets out the housing provision of 12,800 dwellings during the period 2011-2031.</p> <p>The OAN is 532 dwellings per annum.</p> <p>The housing</p>	<p>Policy SS1 provides flexibility in response to OAN unmet needs within the HMA.</p> <p>In assessing the housing requirement for the district, there is a small impact on the housing provision for Oadby & Wigston and Daventry.</p>	<p>HEDNA (2017) collaboratively produced with other Leicestershire Authorities</p> <p>Magna Park Employment Growth Sensitivity Study (July 2017) prepared by Harborough District Council.</p> <p>This considers the implications on housing and employment need and distribution as</p>	<p>Establishing and meeting the objectively assessed needs and land requirements for the district to 2031 with sufficient flexibility in provision to ensure that the government's 5YHLS can be met in future</p>	<p>The provision of housing and employment will be continually monitored and reviewed in line with Policy IMR 1.</p> <p>Maintaining a 5YHLS of housing throughout the plan period.</p> <p>Policy IMR 1 in summary proposes a review of the</p>	<p>Joint Statement on Collaborative Working agreed on behalf of NW Leicestershire (in advance of the HEDNA) October 2016..</p> <p>Joint Statement of Cooperation agreed on publication of the HEDNA February 2017.</p> <p>Joint Statement of Cooperation November 2017 agreed by all Leicester &</p>	<p>Yes = DtC issue across 2 or more LPA's</p> <p>Resolved/ Ongoing</p>

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/ response/outcome	DtC issue
	<p>requirement, increasing the level of self-containment and the redistribution of housing to take into account the potential growth of Magna Park, is 557 dwellings per annum.</p> <p>The housing provision, as identified by SS1 also provides a flexibility allowance and is set at 640 dwellings per annum.</p> <p>The housing requirement is the basis for the 5YHLS calculation = 557 dwellings per annum.</p>		a result of potential strategic distribution growth at or adjoining Magna Park.		Local Plan if other LPA's identify a housing or employment need which cannot be accommodated within the flexibility provided within the Local Plan; or the Strategic Growth Plan identifies a spatial distribution which is significantly different to the Local Plan.	<p>Leicestershire Planning Authorities</p> <p>A Memorandum of Understanding will be prepared for the HMA once the scale of unmet need from Leicester City is known.</p> <p>The implications of potential additional strategic distribution on housing and employment within District, HMA and adjoining LAs was subject to specific DtC consultation in July 2017.</p>	

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
SP2: Assisting other local authorities to meet their unmet housing need.	<p>Harborough can meet all its objectively assessed need, as evidenced by the SHLAA 2016.</p> <p>The only authority in the Housing Market Area (HMA) which has an unmet housing need to 2031 is Leicester City.</p> <p>A Joint Statement of Cooperation (November 2017) has been agreed by all HMA authorities setting how they are/will continue to work together to ensure any unmet need is</p>	<p>Leicester City have formally written to HDC to inform the Council that they are likely to be unable to meet their OAN, however, the scale of the unmet need from Leicester is unknown at present.</p> <p>Policy SS1 within the Harborough Local Plan provides flexibility above the OAN for the District.</p>	HEDNA (2017) collaboratively produced with other Leicestershire Authorities.	<p>Establishing and meeting the objectively assessed needs and land requirements for the district to 2031 with sufficient flexibility in provision to ensure that a 5YHLS can be maintained in future</p> <p>Further ongoing positive engagement with Leicester City Council to assist with contributing to meeting their declared unmet housing need, once the scale of it is known.</p>	<p>Maintaining a 5YHLS of housing throughout the plan period.</p> <p>Policy IMR 1 in summary proposes a review of the Local Plan if other LPA's identify a housing or employment need which cannot be accommodated within the flexibility provided within the Local Plan; or the Strategic Growth Plan identifies a spatial distribution which is significantly different to the Local Plan.</p>	<p>Joint Statement on Collaborative Working agreed on behalf of NW Leicestershire October 2016.</p> <p>Joint Statement of Cooperation agreed on publication of the HEDNA February 2017.</p> <p>Joint Statement of Cooperation agreed in November 2017.</p> <p>Trigger for Review included in Policy IMR 1.</p> <p>Flexibility included in Policy SS1.</p> <p>Continued work on the MoU to be agreed once the scale of the unmet need in Leicester City known.</p>	<p>Ongoing issue</p> <p>Yes = DtC issue across 2 or more LPA's</p> <p>Resolved for purpose of Submission Local Plan. Ongoing – Cooperation will continue.</p>

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	<p>accommodated</p> <p>A Memorandum of Understanding (MoU) is being prepared by the 9 HEDNA authorities. Once the scale of unmet need from Leicester City is known, the MoU will be agreed to demonstrate how HMA wide needs will be accommodated</p> <p>The Local Plan makes provision for 20% more houses than the OAN for the District.</p> <p>The housing provision, as</p>					<p>The provision of housing and employment will be continually monitored and reviewed in line with Policy IMR 1.</p>	

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	<p>identified by Policy SS1 includes a flexibility allowance and is set at 640 dwellings per annum (dpa), compared to an OAN of 532 dpa for the District.</p> <p>The housing requirement is the basis for the 5YHLS calculation = 557 dwellings per annum.</p>						
SP3: Meeting regional and national demand for strategic distribution (logistics) development.	Magna Park is a 223 ha warehousing and distribution centre located within the M6, M69 and M1 triangle. It is an important site regionally/nationally. Policy BE2 safeguards the	<p>Policy BE2 would not allow Magna Park to expand by more than 700,000 sq. m of strategic B8 floor space.</p> <p>The following potential impacts of the potential level</p>	Leicester and Leicestershire Strategic Distribution Sector Study (SDSS) 2014 & 2016. Identifies requirements for B8 development including non-rail served sites of 152 ha by	Following DtC consultation in May 2017, the Council commissioned the Magna Park Employment Growth Sensitivity Study (July 2017). This assessed the potential housing and employment impacts on the District and adjoining Local	Growth at Magna Park will be monitored to ensure that the maximum amount of floor space in Policy BE2 is not exceeded.	<p>Policy BE2 has been significantly amended and shaped through DtC consultations.</p> <p>The provision of housing and employment will be continually monitored and reviewed in line with Policy IMR 1.</p>	<p>On-going issue</p> <p>Yes = DtC issue across 2 or more LPA's</p> <p>Resolved for purpose of Submission</p>

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	<p>importance of the site by limiting B8 development to units of 9000 sq. m or more (referred to as strategic B8).</p> <p>Policy BE2 includes a criteria based policy against which applications to expand Magna Park will be considered. It also identifies the maximum provision of 700,000 sq. m of strategic B8 development at or adjoining Magna Park.</p> <p>BE2 has been revised in response to DtC consultations in May and July</p>	<p>of floorspace growth identified by DtC partners considered that:</p> <p>1-Scale of potential strategic employment growth (if uncapped) on additional housing growth within Harborough and adjoining districts.</p> <p>2-loss of employment</p> <p>3-viability of existing and proposed Strategic Rail Freight Interchanges (SFRI)</p> <p>4-impact on strategic highway network</p> <p>5-environmental impacts</p> <p>6-need to further</p>	<p>2031 and 198 by 2036.</p> <p>Housing and Economic Development Needs Assessment HEDNA (2017)</p> <p>Magna Park Employment Growth Sensitivity Study (July 2017)</p> <p>In addition to the HEDNA assessment, the Employment Sensitivity Study considers the implications on housing as a result of strategic distribution growth at Magna Park.</p> <p>Employment</p>	<p>authorities of growth options for strategic distribution at Magna Park.</p> <p>DtC partners were consulted again in July 2017 on the draft study and revised Policy BE2 (which addressed issues previously raised by DtC partners)</p> <p>As a result of comments received the policy was further amended.</p>			Local Plan

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	<p>2017, whereby clarification was sought by LPA partners on the approach to strategic B8 and if there were any resulting impacts on infrastructure and housing within the HMA and wider area.</p> <p>The revision of this policy has been informed by the Magna Park Employment Growth Sensitivity Study (July 2017).</p>	define geographical location of potential growth	<p>Areas Review (EEAR) 2012</p> <p>Leicester and Leicestershire Strategic Economic Plan (2014 – 2020)</p>				
SP4: Meeting the accommodation needs of Gypsy and Travellers	Policy H6 makes provision for a minimum of 5 Gypsy and Traveller permanent	Given the itinerant nature of Gypsy, Traveller and Travelling Showpeople, it is important to take account of any	The Leicester and Leicestershire Gypsy and Traveller Accommodation Assessment	The outcome of discussions between the relevant authorities is that it has been agreed that the Harborough District is able to	Ensuring the supply of specific deliverable sites maintain a 5 years' supply of	Continued monitoring of the Policy as part of the implementation of the Local Plan.	Cross boundary issue.

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	<p>residential pitches, and 26 plots for Travelling Showpeople.</p> <p>At March 2016, there were 82 residential pitches occupied by Gypsy and Travellers across Harborough District. There are 98 plots occupied by Travelling Showpeople households.</p> <p>The Gypsy and Traveller Accommodation Assessment 2016 identified a need for 5 additional pitches, and 26 further Showpeople plots, this joint</p>	cross-boundary considerations with neighbouring LPA's, including those outside of the County.	<p>(May 2017)</p> <p>Gypsy and Traveller and Travelling Showpeople Site Identification Study (November 2016)</p>	meet its own needs in full with no dependence on neighbouring areas.	<p>provision.</p> <p>Through the AMR monitoring of pitches granted planning permissions.</p>		

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	evidence supports Policy H6.						
SP5: Providing transport and other infrastructure to support new development.	<p>Policy SS1 directs most development into areas which already have capacity to offer sustainable transport to make best use of existing infrastructure.</p> <p>Policy IN1 Infrastructure Provision in summary requires that all major development only be permitted provided supporting infrastructure mitigates all impacts arising from the proposed development.</p>	<p>Policy SS1 sets out a development strategy which does not rely on a significant need for additional transport infrastructure.</p> <p>Any arising cross boundary issues will be considered as part of any major development proposal within the District.</p>	<p>Harborough Infrastructure Delivery Plan (2017)</p> <p>Economic Viability Assessment (2017)</p> <p>Leicestershire County Council Local Transport Plan 3 & Leicestershire County Council Local Transport Plan 3 Implementation Plan 2015/2016</p> <p>Market Harborough Transport Strategy 2017-2031</p> <p>Leicester and Leicestershire</p>	<p>Joint evidence supports Policy IN2 through the Leicestershire County Council Local Transport Plan 3 2011-2026 (LTP3). HDC will continually work with neighbouring highway and planning authorities, Highways England, National Rail and local rail providers.</p>	<p>The IDP is a 'live document' which the Council will update regularly as new infrastructure requirements arise. It will continually be updated in partnership with infrastructure providers.</p>	<p>None – ongoing engagement as part of implementation of the Local Plan and supporting IDP.</p>	<p>No DtC – not considered to be an DtC issue</p> <p>Cross boundary issue.</p>

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	<p>This includes the requirements arising within or outside Harborough District.</p> <p>IN2 Sustainable Transport in summary mitigates against arising impacts on the transport network and that proposals should be aligned to Highways England national policies.</p>		<p>Draft Rail Strategy 2016</p> <p>Collaborative working through the emerging Strategic Growth Plan supporting evidence base A5 Edwards & Edwards Study 2016.</p>				
SP6: Providing for Strategic Green Infrastructure (e.g. Green Wedges)	Harborough's Green Wedges form part of the network of such designations around the Leicester	The boundaries of the Leicester/Scraptoft Green Wedge are defined in the Scraptoft Neighbourhood Plan (2015).	<p>Green Wedge Review – Update 2017</p> <p>Joint methodology for review (2009)</p>	There is a need to amend the boundary of the Leicester/Scraptoft Green Wedge to accommodate housing need. The designation is	Planning decisions which are contrary to GD7 will be identified in the AMR.	On-going engagement.	<p>Yes = DtC issue across 2 or more LPA's</p> <p>Resolved</p>

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	<p>Urban Area.</p> <p>Given the importance of these areas beyond administrative boundaries this is considered a key cross boundary issue.</p> <p>Policy GD7 Green Wedges sets a criterion based policy to resist development in these designated areas.</p> <p>The Scaptoft North SDA for housing results in a reduction in the size of the existing Green Wedge to the north of the village.</p>	As a result of the HEDNA (2017) the site to the north of Scaptoft is identified for allocation to meet housing need. This results in the loss of an area of Green Wedge to the north of the village.	<p>The Green Wedge Review – Draft Technical Update (2015)</p> <p>Scaptoft Neighbourhood Plan (2016)</p>	<p>amended to exclude the majority of the SDA which does not have public access but retain the designation to the south. This will maintain the role of the Green Wedge and be subject to adverse impacts on the areas function.</p> <p>However, the Green Wedge is being extended in compensation of the loss.</p>			
SP7: Protecting	Policy G11	In areas identified	Harborough	A number of joint	Planning	None – ongoing	No DtC –

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
and enhancing biodiversity and geodiversity	<p>Green infrastructure networks supports strategic green infrastructure assets and the wider network which extend beyond the district boundary. These are the networks of the River Welland, Sence, Soar, Swift and Avon river corridors; Grand Union Canal, dismantled railway lines, Saddington, Stanford and Eyebrook reservoirs; and long-distance cycle paths and bridleways.</p> <p>G15 Biodiversity</p>	<p>as being of strategic GI importance, HDC will work with partners and developers to protect and enhance these areas in accordance with Policy G11.</p> <p>Development of Scraftoft North would require the de-designation of Scraftoft Local Nature Reserve (LNR) but the retention and enhancement of the wildlife corridor is part to the proposed development, including a Local Wildlife Site as appropriate.</p>	<p>District Open Space Strategy 2016-2021</p> <p>Space for Wildlife: Leicester, Leicestershire and Rutland Biodiversity Action Plan 2016 -2026 December 2016</p> <p>6Cs Sub-Regional Strategic Framework 2010 – Green Infrastructure Strategy: Volume 1 Phase 1 Habitat Study 2008</p> <p>Harborough Water Cycle Study 2016</p>	evidence studies support Policy G11 and G15. HDC will continually work with neighbouring planning authorities, Leicestershire County Council, natural England and other relevant bodies.	decisions which are contrary to G11 & G15 will be identified in the AMR.	engagement as part of implementation of the Local Plan.	not considered to be an DtC issue

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	and Geodiversity identifies that national and local designations will be safeguarded.						
SP8: Providing for retail needs	<p>Policy RT1 sets the district's retail hierarchy. The policy considers and respects the role of centres outside the District.</p> <p>The proposed retail floorspace figures to 2031 reflect provision outside the District; and that the scale of retail allocations does not impact unduly</p>	Oadby & Wigston Borough Council and Corby Borough Council identified retail as an issue with potential cross boundary impacts.	<p>Harborough Retail Study 2013</p> <p>Harborough Retail Study Update 2016</p> <p>Harborough Retail Study Update 2017</p>	<p>The retail hierarchy is reflective of centres within neighbouring authority areas.</p> <p>Policy RT2 prescribes the locally defined Impact Assessment threshold and requires retail proposals to demonstrate that there would be no adverse impact on the vitality/viability of existing centres.</p> <p>RT2 policy ensures mitigation against any arising cross boundary impacts.</p>	The provision of Retail will be monitored in accordance with Policy IMR1 and the Monitoring Framework.	<p>A Positive outcome achieved, no further action required.</p> <p>Continued monitoring of the Policy as part of the implementation of the Local Plan.</p>	<p>No DtC – not considered to be an DtC issue</p> <p>Cross boundary issue.</p>

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	<p>on centres in neighbouring local authority areas.</p> <p>Policy RT2 supports the vitality and viability of the retail hierarchy beyond the district at city, town and district level.</p>						
SP9: Minimising flood risk.	Policy CC3 Managing floodrisk directs development to the lowest areas of floodrisk, sets a sequential and exceptions test for future development proposals and ensures the design of future development includes flood resilience	<p>There are a range of bodies with responsibility for flooding. HDC proactively work with the Environment Agency, the local drainage board and the Lead Local Flood Authority – Leicestershire County Council.</p> <p>The rivers within the district are covered by the following EA River</p>	<p>Leicestershire and Rutland Planning for Climate Change Study (May 2008)</p> <p>Harborough Strategic Flood Risk Study (2009)</p> <p>Strategic Growth Plan Strategic Flood Risk Assessment – Harborough</p>	<p>Joint evidence supports Policy CC3.</p> <p>HDC will continually work the Environment Agency and Lead Local Flood Authority (Leicestershire County Council) in delivering the Local Plan. .</p>	Planning decisions which are contrary to CC3 will be identified in the AMR. This will include any planning permission given contrary to EA advice and the Lead Local Flood Authority.	None – ongoing engagement as part of implementation of the Local Plan.	<p>Yes = DtC issue across 2 or more LPA's</p> <p>On-going</p> <p>Cross boundary issue.</p>

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	measures to allow for the increased risk associated with climate change.	Catchment Management Plans; Welland and tributaries – Anglian River Basin Soar and tributaries – Humber River Basin Avon and tributaries – Severn River Basin	District Update (2017) Harborough Climate Change Action Plan (2015) Harborough Water Cycle Study (2016) Harborough Infrastructure Delivery Plan (2017)				
SP10: Safeguarding land needed for minerals and waste.	Policy GD9 Minerals and Safeguarding Areas. In summary, the policy identifies that non-exempt development proposals in the Mineral Safeguarding Areas will need to consult with the Minerals	Leicestershire is a two-tier area for local government and Leicestershire County Council (LCC) is the Minerals Planning Authority.	Minerals and Safeguarded Areas are identified in the emerging Minerals Local Plan	Joint evidence supports Policy GD9, it is HDC statutory obligation under Town and Country Planning legislation to align to the Minerals Local Plan.	Any planning permission granted contrary to the criteria in GD9 will be identified in the AMR and the reasons for it being granted explained.	None – ongoing engagement with the Minerals Planning Authority as part of HDC statutory obligations.	No DtC – not considered to be an DtC issue Cross boundary issue.

Identified strategic priority	HDC Local Plan position	Potential impact on authorities prescribed bodies	Evidence	Resolution/mitigation	How will issue be monitored	Actions/response/outcome	DtC issue
	Planning Authority (LCC). Non-exempt development in Mineral Safeguarding Areas will be permitted which are in accordance with the Minerals Local Plan.						

APPENDIX B: Leicester & Leicestershire Authorities Joint Statement of Co-operation Relating to Objectively Assessed Need for Housing November 2017

Leicester & Leicestershire Authorities

Joint Statement of Co-operation Relating to Objectively Assessed Need for Housing November 2017

1.0 The Leicester and Leicestershire HMA

1.1 The Leicester and Leicestershire Housing Market Area (HMA) covers the administrative areas of eight local authorities and two highway authorities. The eight local planning authorities are:

- Blaby District Council
- Charnwood Borough Council
- Harborough District Council
- Hinckley & Bosworth Borough Council
- Leicester City Council
- Melton Borough Council
- North West Leicestershire District Council
- Oadby & Wigston Borough Council

1.2 The two highways authorities are:

- Leicester City Council
- Leicestershire County Council

1.3 The purpose of this Joint Statement of Co-operation (the 'Joint Statement') is to support those authorities which are seeking to produce a Local Plan in advance of the Strategic Growth Plan (SGP), and to set out how the local authorities will collaborate further to ensure that the necessary joint evidence is in place to support subsequent Local Plans. The document has been received by the Members' Advisory Group overseeing the preparation of the Strategic Growth Plan and will proceed through the normal governance procedures of individual authorities as necessary.

2.0 Background

Duty to Cooperate

2.1 The Joint Statement is intended to provide evidence of effective co-operation on planning for issues with cross-boundary impacts. A Housing and Economic Development Needs Assessment (HEDNA) has been completed, the purpose of which is to identify the Objectively Assessed Need (OAN) for housing and employment for the HMA and Functional Economic Market Area (FEMA) in the periods 2011-2031 and 2011-2036. In the case of Leicester & Leicestershire, the HMA and FEMA are coincident. The HEDNA was commissioned jointly by the nine local authorities together with the Leicester & Leicestershire Enterprise Partnership (LLEP).

Objectively Assessed Need for Housing

- 2.2 The National Planning Policy Framework (NPPF) requires local planning authorities to ensure that their Local Plans meet the full OAN for market and affordable housing in the HMA as far as is consistent with the policies set out in the NPPF (paragraph 47).
- 2.3 To enable an understanding of capacity to accommodate additional housing, the NPPF further requires local planning authorities to prepare a Strategic Housing Land Availability Assessment (SHLAA) to establish realistic assumptions about availability, suitability and likely economic viability of land to meet the identified need for housing over the plan period (paragraph 159). In Leicester & Leicestershire, the SHLAAs have been prepared using an agreed methodology across the HMA as a whole.
- 2.4 Table 1 has been prepared using the outputs of the joint HEDNA and SHLAAs. It provides a summary of the agreed OAN for housing, and the theoretical capacity of both the HMA and each local authority; the theoretical capacity has been derived from an understanding of existing commitments and SHLAA information. The partner authorities agree that the OAN for the HMA (and each local authority) is that set out in the table.
- 2.5 The HEDNA explains that the OAN is set at the level of the HMA although the OAN for each local authority is also identified; the OAN for each individual authority is considered to be secondary to that of the HMA as a whole. Table 1 indicates that the OAN for the HMA as a whole, based on demographic analysis, is some 96,580 dwellings for the period 2011-31 (4,829 dpa). For the period, 2011-2036, the figure is some 117,900 dwellings (4,716 dpa).
- 2.6 A similar analysis has been undertaken of the need for housing based on the economic development needs of the area; in this case, it has been concluded that the need for new housing, based on economic development needs across the FEMA, is lower than the demographic need. On that basis, there is no need for adjustment of this figure at the level of the HMA/FEMA although there is some misalignment at the level of individual authorities. As a result, there may be an alternative distribution of housing to meet economic needs whilst still ensuring that the demographic need of 4,829 or 4,716 dpa is met across the HMA/FEMA as a whole in line with paragraph 47 of the NPPF.
- 2.7 In terms of the housing capacity, Table 1 also indicates that there is a theoretical capacity for some 207,069 dwellings across the HMA as a whole. When this is set against the OAN of 96,580 (2011-31) and 117,900 (2011-36) dwellings, it is clear that there is considerable flexibility to meet the defined housing need across the HMA.
- 2.8 It is recognised that the ability of each local authority to meet its own OAN will vary. Table 1 demonstrates that, theoretically, and with the exception of Leicester City Council, all authorities are able to accommodate their own needs in the period 2011-31. In the period 2011-36, neither Leicester City Council nor Oadby & Wigston Borough Council will be able to meet their needs. It is important to note, however, that further testing will be required by the respective authorities through their Local Plan processes. Should an HMA authority identify, quantify and provide robust

evidence to demonstrate an unmet need in the future, it will be incumbent upon the HMA authorities jointly to resolve any cross-boundary matters with HMA partners under the Duty to Co-operate.

- 2.9 Following publication of the HEDNA, both Leicester City Council and Oadby & Wigston Borough Council declared that they would not be able to accommodate their full objectively assessed needs (OAN) for housing within their own boundaries. Letters were sent out by Leicester City Council in February 2017 and by Oadby & Wigston Borough Council in March 2017, to all other authorities within the Leicester & Leicestershire Housing Market Area, setting out the position and their formal declarations of unmet housing need. Since that time, and based on evidence, Oadby & Wigston Borough Council has determined that it will be able to accommodate its needs in the period 2011-2031 but not in respect of the period 2011-36. Oadby & Wigston Borough Council issued a further letter in November 2017 confirming its position. Both Leicester City Council and Oadby & Wigston Borough Council are yet to formally and finally evidence the extent of their unmet need, however it is necessary to include provision to accommodate unmet need arising from these two Council areas, for the relevant periods, within the HMA as a whole; this may include an element of a flexibility allowance in local plans currently in preparation, should the need arise.
- 2.10 In terms of determining housing targets to be included in their Local Plans, local planning authorities should take account of the requirements of both national policy and local circumstances, including the need to base Local Plans on a strategy that seeks to meet the OAN for housing. In this regard, it is recognised that all authorities are at different stages of plan preparation and that this situation must be accommodated. In determining their housing target over the relevant plan period, therefore, each authority will take into account the HEDNA and other relevant evidence.
- 2.11 In addition, the nine local authorities and the LLEP have jointly agreed to produce a Strategic Growth Plan, a non-statutory strategic plan looking forward to around 2050. As part of their work on the Strategic Growth Plan, the partner organisations may choose to redistribute development across the HMA as appropriate but the process of preparing the Strategic Growth Plan is not anticipated to be complete until the end of 2018 and will not, therefore, be available for all authorities to use prior to preparing their Local Plans. At the same time, Government has made it clear that it wants Local Plans for individual authorities to be in place without delay; and where no Local Plan has been produced, Government may choose to intervene in the process. As a result, the partner organisations understand that some authorities might wish to progress their Local Plans in advance of the Strategic Growth Plan.
- 2.12 The Written Ministerial Statement by the Minister for Housing and Local Government (21 July 2015) re-emphasises that Local Authorities cannot plan in isolation and must work together to provide the land for the housing needed across HMAs. It states: *"As we have made clear in planning guidance a commitment to an early review of a Local Plan may be appropriate as a way of ensuring that a Local Plan is not unnecessarily delayed by seeking to resolve matters which are not critical to the plans soundness or legal competence as a whole"*. It also refers to a note prepared by the Planning

Advisory Service which local authorities should consider; this sets out circumstances in which Local Plans have been found sound, subject to a commitment to an early review.

- 2.13 Taking this into account, the HMA authorities reached agreement in summer 2016 on appropriate trigger mechanisms that would be inserted into all Local Plans coming forward before the Strategic Growth Plan. In this respect the partner authorities agree that should the Strategic Growth Plan identify a significant change which would require local authorities to re-consider the amount of housing and employment land, an early review or partial review of affected Plan(s) will be brought forward to address this matter, unless there is sufficient flexibility already provided for within the Plan. Such flexibility may, for example, be secured by a Local Plan that specifies a requirement which materially exceeds the FOAN identified by the HEDNA. The agreement is based on the principle that the trigger mechanisms would be applied on a consistent basis across the HMA, ensuring that all Local Plans submitted in advance of the Strategic Growth Plan contain the necessary flexibility to respond to any significant change that might arise.

Table 1: OAN as defined in HEDNA (January 2017) and Theoretical Capacity based on assumptions set out in notes.

	OAN ^{*1} (2011- 2031)	OAN ^{*1} (2011 - 2036)	Theoretical Total Capacity ^{*2}
Blaby	7,400	9,025	24,096 ^{*3}
Charnwood	20,620	24,850	34,756 ^{*3}
Harborough	10,640	12,850	30,578 ^{*3}
Hinckley & Bosworth	9,420	11,350	25,498 ^{*3}
Leicester City	33,840	41,700	26,230 ^{*3}
Melton	3,720	4,250	36,650 ^{*3}
Northwest Leics	9,620	11,200	26,301 ^{*3}
Oadby & Wigston	2,960	3,875	2,960 ^{*3}
HMA Total^{*4}	96,580	117,900	207,069^{*3}

*¹ The OAN is set out in the agreed HEDNA (January 2017)

*² This figure is based on information on completions, commitments, windfalls (in some authorities) and SHLAAs as at 1st April 2016.

*³ The final figure will be determined by each authority through the Local Plans process.

*⁴ The Total received OAN for the HMA is lower than the sum of the OAN for individual authorities because the OAN for Melton BC and North West Leicestershire DC has been increased in the HEDNA to meet economic needs locally.

Note:

It should be noted that nothing in this statement should be taken to prejudice any representations made by individual authorities on any partner Local Plan.

APPENDIX C: Correspondence from Leicester City on Transport Matters (January 2018)

From: Jeevan Dhesi [mailto:Jeevan.Dhesi@leicester.gov.uk]
Sent: 15 January 2018 11:45
To: Rob Thornhill
Cc: Grant Butterworth; Anthea Anderson; Fabian DCosta; Paul Statham; Stuart Maxwell
Subject: [EXTERNAL] RE: Harbrough Local Plan Representation

This Message originated outside your organization.

Hi Rob

Below is the response from City Highways. I trust this allays any concerns you have.

Regards

Jeevan

'The City Highway Authority has worked with Harbrough District Council in looking at the potential effects of development locations on travel and transport to the East and South of the Principal Urban Area. We are content that development allocated in Harbrough District Council's Local Plan is appropriately evidenced at this stage in the planning process (i.e. the Local Plan stage) and does not currently need further assessment. As part of any planning application, further detailed transport assessment will then be required to assess the transport impacts within the city.'

Thanks

Anthea



APPENDIX D Letters received by HDC from HMA authorities with unmet OAN

Please ask for: Grant Butterworth
Telephone: (0116) 454 1000
Email: planning@leicester.gov.uk
Date: 13th February 2017



Mr D Atkinson
Harborough District Council
The Symington Building
Adam and Eve Street
Market Harborough
Leicestershire
LE16 7AG

Planning
115 Charles Street
Leicester LE1 1FZ
www.leicester.gov.uk/planning

Dear Mr Atkinson

Implications for Leicester City Council, of the Housing and Economic Development Needs Assessment (HEDNA).

The Housing and Economic Development Needs Assessment (HEDNA) was approved by the Members Advisory Group on Thursday 26 January 2017. The HEDNA establishes a new objectively assessed need (OAN) for the Leicester and Leicestershire Housing Market Area (HMA), and for each local planning authority within the HMA. The HEDNA OAN replaces the OAN set out in the Strategic Housing Market Assessment (SHMA 2014).

The HEDNA establishes an OAN for the HMA of 96,580 dwellings for the period 2011-2031 (or 4,829 per year). For Leicester City over the same period the OAN is 33,840 dwellings (or 1,692 per year). Just over one third of the total OAN for the HMA arises within the city.

The HEDNA sets out a housing need significantly above that established in previous assessments of housing need, including the SHMA 2014 and in previous local, sub-regional and regional plans (including the Leicester Core Strategy 2014, Regional Plan 2009 and Structure Plan 2005).

The HEDNA also sets out increased new requirements for Employment land for Leicester :-

- 115,000 sqm (6ha) required for offices
- 15ha for warehousing/distribution
- 36ha for general employment

The HEDNA has significant implications regarding the ability of the city to continue to accommodate its full objectively assessed need for housing and employment within the administrative area of the city. The city's tightly drawn boundaries and built up nature, coupled with areas of significant flood risk means that there is limited land available for further development. Whilst the City is currently unable to provide a

definitive figure for the shortfall in the city (in advance of work on the emerging local plan), the scale of the need set out in the HEDNA is of such magnitude that it is concluded that there will be an unmet need arising in the city.

We will be working to meet these needs in our new Local Plan. However we will need support and co-operation from HMA partners. The Strategic Growth Plan will be the vehicle for these conversations.

The City Council looks forward to working closely with yourselves and the other HMA partners on ensuring the full OAN for the HMA is accommodated within the HMA by ensuring emerging plans are flexible enough to respond to addressing any unmet need which may be required to be addressed within those plans.

The attached note (Appendix 1) provides further background on the emerging land supply position in the city however it should be noted that further work on the capacity of the city, including potential new land allocations, is currently being undertaken through work on the new local plan for the city.

Yours sincerely,

Grant Butterworth
Head of Planning
Leicester City Council

Appendix 1

Housing Completions in Leicester since 2011

The table below shows housing completions in Leicester since 2011 compared to the HEDNA OAN. The table shows that the rate of housing completions in the city falls significantly below the HEDNA OAN. There is already a shortfall of 2,917 dwellings since 2011 (around 580 per year). Completions rates in the city have been relatively constant since the mid-2000s at around 1,100 per year. It does not seem likely that the rate of completions in the city will increase significantly above that level.

Year	Completions	HEDNA 2017 (2031)	Shortfall
2011/12	977	1,692	-715
2012/13	1,147	1,692	-545
2013/14	1,126	1,692	-566
2014/15	1,162	1,692	-530
2015/16	1,131	1,692	-561
Total	5,543	8,460	2,917

Should rates of completions in the city remain at around 1,100 per year, around 22,000 dwellings could be built between 2011 and 2031. This would leave a shortfall of around 11,840 against the HEDNA OAN to 2031.

It should also be noted that student completions account for a significant proportion of completions up to 2015/16 and, in light of the HEDNA (paragraphs 9.53-9.54), the City Council are currently reviewing the way in which student completions are counted towards meeting the OAN.

Current supply of housing land in Leicester

The City Council are in the process of finalising an updated SHLAA to represent the position as at 31st March 2016, and this is due to be published shortly. The draft figures from this were used to set out the city's total capacity figure in table 1 of the Statement of Co-operation.

The draft SHLAA currently shows a total capacity for the city up to 2031 of 25,006 (including completions since 2011, commitments, windfall and other SHLAA sites). This is a shortfall of 8,834 over the HEDNA OAN to 2031).

Emerging Local Plan position

The City Council intend to consult on the next stage of the new local plan later this year. This will include consultation on a wide range of sites. Following this the City Council will work towards a draft plan which is due to be published in spring 2018. Submission of the plan will follow in early 2019.

Given that the city currently does not have sufficient land allocated or identified to meet the level of need set out in the HEDNA we will be seeking to allocate new sites to help meet this need.

However at this early stage in the plan process it is not possible to know how many sites will be suitable, available and viable for housing development, nor how many of those will be successfully allocated in the final adopted plan. It is therefore not possible to know with any certainty, what contribution those sites can make towards addressing the housing OAN for the city and any consequent reduction in any unmet need remaining in the city. However it is clear that even if a significant number of new sites are identified, the scale of the need set out in the HEDNA is of such magnitude that it is concluded that there will be an unmet need arising in the city.



Borough of Oadby & Wigston

Planning, Development and Regeneration

David Atkinson
Head of Planning & Regeneration
Harborough District Council
The Symington Building
Adam and Eve Street
Market Harborough
Leicestershire
LE16 7AG

Email: adrian.thorpe@oadby-wigston.gov.uk
Web Site: www.oadby-wigston.gov.uk

Please ask for: Adrian Thorpe
Extension: 645/Direct Line: 2572646
Our ref:
Your ref:

RECEIVED

14 MAR 2017

10th March 2017

CORPORATE SERVICES
Harborough District Council

Dear Mr Atkinson

Joint Statement of Co-operation and Objectively Assessed Need

Elected Members of Oadby and Wigston Borough Council considered a report on the Joint Statement of Co-operation and Objectively Assessed Housing Need at its meeting on 23rd February 2017.

I am pleased to report that Members approved the Joint Statement of Co-operation.

Members noted the outcome of the HEDNA which identifies that the OAHN for the Borough is 148 dwellings from 2011 to 2031 and 155 dwellings from 2011 to 2036. The report explained how a consistent methodology had been used to establish the theoretical total capacity in each district. It also explained that in the case of the Borough of Oadby and Wigston the OAHN is higher than the theoretical capacity. The effect of this is that (as of 1st April 2016) the Borough does not have sufficient appropriate land to meet its OAHN.

Please accept this letter as Oadby and Wigston Borough Council's formal declaration that at this moment in time there is an unmet housing need arising in the Borough of Oadby and Wigston of at least 161 dwellings up to 2031 and at least 1076 dwellings up to 2036. We would request that other councils in the Leicester and Leicestershire HMA take this situation into account in the course of preparing their own Local Plans, as well as taking into account any unmet need arising from elsewhere in the HMA.

Please also be assured that between now and publishing a housing target for the Borough in its pre-submission draft Local Plan (which we anticipate to report to Committee in July 2017), the Council will continue to prepare and scrutinise evidence to ensure that the Borough meets as much of its OAHN as is appropriate to do so, taking into account sustainability and infrastructure.

(continued)



Council Offices: Station Road, Wigston, Leicestershire LE18 2DR
Tel: (0116) 288 8961 Fax: (0116) 288 7828 Minicom: (0116) 257 2726

Brocks Hill Country Park & Environment Centre: Washbrook Lane, Oadby, Leicester, LE2 5JJ
Tel: (0116) 257 2888 Fax: (0116) 271 7356 E-mail: brocks.hill@oadby-wigston.gov.uk

A key element of this evidence relates to transport and highway infrastructure given the constraints that exist to the south east of the Leicester PUA. The Council is currently working in partnership with Harborough District Council, Leicester City Council and Leicestershire County Council to provide robust evidence in this respect.

The Borough Council does not currently envisage that it will need to declare any unmet employment land need arising in the Borough of Oadby and Wigston.

I look forward to our continued positive working together as we progress with the preparation of our Local Plans.

Yours sincerely

Adrian Thorpe
Planning, Development and Regeneration Manager

cc Norman Proudfoot (Corporate Director-Community Services, Harborough District Council)



Oadby & Wigston

BOROUGH COUNCIL

POF Representative

David Atkinson

Harborough District Council

The Symington Building

Adam and Eve Street

Market Harborough

Leicestershire

LE16 7AG

Please ask for: Adrian Thorpe

Email: adrian.thorpe@oadby-wigston.gov.uk

Telephone: 0116 257 2645

Ref:

Date: 2nd November 2017

Dear David Atkinson,

Joint Statement of Co-operation and Objectively Assessed Need

Further to my letter of March 2017 regarding the above, the Borough Council has now completed the preparation of evidence to support its new Local Plan covering the period 2011 to 2031. Elected Members considered the Pre-Submission Local Plan at its meeting of Policy, Finance and Development Committee on the 31 October 2017. The content of the Plan was approved by Members, along with a period of public consultation from 6th November 2017 to 18th December 2017.

The Plan takes account of the outcomes of the HEDNA which identifies that the Objectively Assessed Need for housing for the Borough is 2,960 dwellings for the period 2011 to 2031 and also the evidence that has been completed in respect of the Plan, in particular evidence relating to transport and highway infrastructure given the constraints that exist to the south east of the Leicester PUA.

As a result of this the Plan's Spatial Strategy for development is able to allocate sufficient land within the Borough to meet the Objectively Assessed Need for housing of 2,960 dwellings over the Plan period 2011 to 2031. The Plan's Spatial Strategy for development also allocates sufficient land within the Borough to meet the Council's Objectively Assessed Need for employment over the period 2011 to 2031 as identified within the HEDNA.

Therefore, please accept this letter as confirmation that on the basis of the Pre-Submission Local Plan, Oadby and Wigston Borough Council no longer has any unmet need up to 2031.

However, there continues to be an unmet housing need arising in the Borough of Oadby and Wigston of at least 915 dwellings over the period 2031 to 2036 based on the Objectively Assessed Need for housing as set out in the HEDNA. We would continue to request that, where relevant, other councils in the Leicester and Leicestershire HMA take this situation into account in the course of preparing their own Local Plans, as well as taking into account any unmet need arising from elsewhere in the HMA.

The Borough Council does not currently envisage that it will need to declare any unmet employment land need arising in the Borough of Oadby and Wigston between the period 2031 to 2036, based on the Objectively Assessed Need for employment as identified within the HEDNA.

(continued)



Accredited

Customer Service Centre: 40 Bell Street, Wigston, Leicestershire LE18 1AD

Postal Address: Council Offices, Station Road, Wigston, Leicestershire LE16 2DR

Tel: (0116) 256 8961 Fax: (0116) 256 7628



oadby-wigston.gov.uk



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[Oadby_Wigston](https://twitter.com/Oadby_Wigston)

We would welcome the opportunity to meet with you during the consultation to discuss any comments that you might have, including any cross boundary matters relevant to the Duty to Co-operate. If you would like to meet with us please contact Jamie Carr on 0116 257 2652 or jamie.carr@oadby-wigston.gov.uk.

I look forward to our continued positive working together as we progress with the preparation of our Local Plans.

Yours Sincerely,

Adrian Thorpe
Head of Planning, Development and Regeneration


CC: SPG Representative, Norman Proudfoot



APPENDIX E: Correspondence with Warwickshire County Council (December 2017)

[EXTERNAL] Re: Harborough Local Plan

Jasbir Kaur <jasbirkaur@warwickshire.gov.uk>

 You forwarded this message on 19/01/2018 18:07.

Sent: Tue 19/12/2017 16:37

To: Rob Thornhill

Cc: Ben Simm; Nick Dauncey; Joanne Archer; Adrian Hart/PT/WarksCC; Mark Ryder; David Hill; Gereint Stoneman

This Message originated outside your organization.

Hi Rob

Thank you for consulting Warwickshire County Council. The County Council is an adjoining Highway Authority to the Borough. We are also constituent members of the Coventry and Warwickshire LEP.

The Coventry and Warwickshire sub-region is a prosperous business location that attracts both domestic, foreign investment and competes to attract and we work to make our sub-region more attractive at the regional, national and international levels. Our success is based on a range of factors including our strategic location at the heart of England, good accessibility and infrastructure, the availability of a highly skilled labour force and the availability of a good portfolio of employment sites.

We support the location of complementary employment sites in the Borough that will attract investment and jobs.

Transport matters

Warwickshire County Council has undertaken a review of the Harborough Local Plan, and based on this the County Council confirms its commitment to work in partnership with Highways England and Leicestershire County Council, to accommodate the employment and housing growth identified at Lutterworth whilst ensuring the effective operation of the A5 and A426 Transport Corridors. In addition the Warwickshire County Council will take proactive measures in partnership with Harborough District Council, Rugby Borough Council and Leicestershire County Council to protect the communities of Pailton, Monks Kirby, Street Ashton and Stretton - under - Fosse from large vehicle movements through these settlements from Magna Park and Symmetry Park.

If there are any other matters you wish to discuss please call me?

APPENDIX F: Correspondence from the East Leicestershire & Rutland CCG

From: Khatija.Hajat@EastLeicestershireandRutlandccg.nhs.uk
[<mailto:Khatija.Hajat@EastLeicestershireandRutlandccg.nhs.uk>]
Sent: 27 November 2017 08:18
To: Christopher Brown
Cc: seema.gaj@nhs.net
Subject: RE: Harborough Local Plan Submission Consultation

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

Dear Christopher

I believe we have previously provided a response to the Harborough Local Plan – see attached emails from myself and Salim Issak. I am not really sure what additional information you now require.

Kind regards

Khatija

Khatija Hajat
Primary Care Contracts Manager
East Leicestershire & Rutland Clinical Commissioning Group
Leicestershire County Council
Room G30, Pen Lloyd Building
County Hall, Glenfield
Leicester LE3 8TB

Switchboard: 0116 2953405
Direct Dial: 0116 2957663
Fax: 0116 2951390
Email: khatija.hajat@eastleicestershireandrutlandccg.nhs.uk
Web: www.eastleicestershireandrutlandccg.nhs.uk

From: Christopher Brown [<mailto:C.Brown@harborough.gov.uk>]
Sent: 24 November 2017 17:03
To: Hajat Khatija
Subject: RE: Harborough Local Plan Submission Consultation

Dear Khatija,

Thank you for your email and I have updated our records accordingly.

Further to my email below I'd be grateful if you could let me know a rough timetable to respond to the Local Plan consultation, or if indeed you won't be making any representation.

Kind regards,
Chris

Christopher Brown MRTPI
Interim Principal Planning Officer – Strategic Planning