

REPORT TO THE LOCAL PLAN EXECUTIVE ADVISORY PANEL MEETING OF
24th July 2017

Meeting:	Local Plan Executive Advisory Panel
Date:	24th July 2017
Subject:	Harborough District Local Plan: Draft Proposed Submission, Further Changes to Policies
Report of:	Interim Strategic and Local Planning Manager
Portfolio Holder:	Cllr. Jo Brodrick
Status:	For recommendation
Relevant Ward(s):	All

1. Purpose of the Report

- 1.1 For the Local Plan Executive Advisory Panel (the Panel) to advise the Executive to incorporate further changes into the Draft Proposed Submission Local Plan before recommending it to Council for approval for publication.

2. Advice to the Executive

- 2.1 **That the Draft Proposed Submission Local Plan document to be considered by the Executive and recommended to Council for publication be amended to include the text in Appendix A and the revised policies in Appendix B to this report.**

3. Reasons for Advice

- 3.1 The Panel has been kept informed throughout the process of preparing the Draft Proposed Submission Local Plan and has commented on various iterations of policies in the Plan. This report advises the Panel of some further minor changes made to the plan since it was considered on 19th June 2017.

4. Key Facts

- 4.1 At its last meeting on 19th June, the Panel resolved that, subject to any changes recommended to the Executive by the Panel and or arising from outstanding evidence, the Draft Proposed Submission Local Plan document and associated Policies Maps be considered by the Executive and recommended to Council for publication in order that the public and interested parties can make representations on their soundness.

- 4.2 Following that date, some further amendments have been made both in response to the Panel's comments and arising from other sources, including detailed proof-reading. These include typographical errors and consistency of wording. There was also some minor updating of housing commitments and retail figures to reflect the latest evidence. These are not reported on, but will be included in the final proposed Submission Local Plan that is programmed to come back to the Panel meeting on 23rd August 2017.
- 4.3 The Places and Sites part of the Local Plan has had introductory statements included in each chapter, relating to Scraftoft/Thurnby/Bushby, Market Harborough, Lutterworth, Fleckney and Kibworth. These are attached as Appendix A.
- 4.4 The proposed substantive changes to policies are as follows:
- SS1 The spatial strategy:** insert 'minimum of' before 12,800 (clarification); delete reference to strategic distribution commitments in 2 (c) (mostly included in floorspace figure in Policy BE2);
- GD7 Green Wedges:** delete 'benefitting biodiversity' (not included in policy agreed with PUA authorities);
- GD9 Minerals Safeguarding Areas:** delete first clause relating to consultation with the County Council (process included in Explanation);
- H1 Provision of new housing:** increase the total number of homes to be allocated from 4620 to 4,660, the Market Harborough figure from 1,145 to 1,150, and the Fleckney figure from 295 to 300 (updating of commitments on small sites and rounding to ensure figures total correctly);
- H6 Gypsy, Traveller and Travelling Showpeople:** re-insert Boneham's Lane, Gilmorton (10 pitches) as a reserve site to meet a future increase in needs (as agreed with County Council);
- BE3 Existing employment areas:** in (3) after 'unviable' insert 'for future commercial uses' (clarification);
- RT1 Retail Needs:** in (2) insert 'or mixed use' after Retail... (clarification);
- RT2 Town and local centres:** in (5) delete 'Edge of centre is defined by the NPPF as locations within 300 metres of the Town Centre boundary, or for retail development in Market Harborough within 300 metres of the Primary Shopping Area boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange' and put into Explanation (unnecessary detail for policy);
- RT4 Tourism and leisure:** in (4) delete reference to the Destination Management Plan and replace with a more general ambition (inappropriate to include an external document, which may change, in a policy);
- HC1 Built heritage:** delete "prioritise for review any existing Conservation Area Statements, together with the preparation of associated management plans, relating to settlements where development proposals are anticipated;" (duplicates clause c);
- HC3 Public houses, post offices and village shops:** delete "(1) (a) there is an alternative public house, post office or village shop providing similar

facilities within easy and safe walking distance of the majority of the community which it serves; or” (this may hinder the ability to resist the loss of a traditional public house where a less than satisfactory alternative exists); in (1) (b) delete ‘it has been demonstrated that’ (superfluous wording) and in 1 (c) insert ‘proactively’ before ‘marketed’ (clarification);

GI2 Open space, sport and recreation: Replace "Proposals for the development of public and private open spaces ..." by "Development resulting in the loss of or reduction in public and private open spaces..." (for clarity); replace ‘will be permitted where...’ with ‘will not be permitted unless...’ in (2) (to meet NPPF as requested by the Panel); in (3) replace ‘of 10 or more dwellings’ with ‘of more than 10 dwellings’ (to conform with national Planning Practice Guidance);

GI4 Local Green Space: replace ‘remain open’ with ‘retain its openness’ (clarification);

GI5 Biodiversity and Geodiversity: re-wording for brevity and clarity; in 3 replace ‘will’ with ‘should’ and add ‘where relevant (for strength and clarity);

CC1 Mitigating climate change: Apply “whether a decentralised energy network is viable and, if so, the arrangements for its delivery and future management;” to SDAs only (since they are the only scale of development in which this is likely to be the case).

IN3 Electronic connectivity: In (3) insert ‘only’ in ‘will be permitted’ (for strength)

IN4 Water resources and services: re-word to read ‘Development will be permitted where it would...’ (for consistency); delete reference to Drinking Water Safeguarding Zones and re-word (superfluous);

SC1 Scraftoft North SDA: amendments in relation to master-planning, affordable housing, open space/ green infrastructure, and hedgerows;

MH1 Overstone Park: re-wording for consistency with other site-based policies and to emphasise master-planning;

MH2 East of Blackberry Grange: amendments in relation to master-planning and for consistency with other site-based policies;

MH3 Burnmill Farm: re-wording for consistency with other site-based policies;

MH4 Land at Airfield Farm: re-wording for consistency with other site-based policies;

MH5 Airfield Business Park: re-wording for consistency with other site-based policies;

MH6 Compass Point Business Park: re-wording for consistency with other site-based policies;

L1 East of Lutterworth SDA: re-wording for consistency with Policy SC1 and amendments in relation to master-planning, the primary school, green infrastructure, safeguarding of land for the northern access, and other matters;

L2 Land south of Lutterworth Road/Coventry Road: re-wording for consistency with other site-based policies;

F1 Land off Arnesby Road, Fleckney: re-wording for consistency with other site-based policies;

F2 Land off Marlborough Road: re-wording for consistency with other site-based policies;

K1 Land south and west of Priory Business Park: re-wording for consistency with other site-based policies.

- 4.5 The resultant revised policies following these changes are in Appendix B. Further information on these changes and on the reasons for them can be given orally at the meeting. They will not be presented separately to the Executive but will be included in an updated version of the Proposed Submission Local Plan that is programmed to be presented to the Executive meeting on 4th September 2017.

5. Legal Issues

- 5.1 The Draft Proposed Submission Local Plan is to be published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The published plan should focus on critical issues and the strategies to address them, paying careful attention to deliverability and viability. It is the Plan that the Council wishes to submit for examination. A statement of procedural and legal compliance, as well as a self-assessment of soundness and legal compliance and a Duty to Cooperate Statement, are to be submitted to the Secretary of State in advance of the Examination.
- 5.2 If, following publication of the Plan for public , the Council wishes to make any changes to the Plan (apart from minor matters such as for factual correctness and clarity), these should be included in an addendum which must be published for a further period for public representation of not less than 6 weeks. It is therefore important that all matters relating to the plan are finalised now in order to ensure the preparation of the Local Plan stays on time.

6. Resource Issues

- 6.1 The preparation of the Local Plan, its evidence base and the forthcoming costs of Public Examination are all budgeted for and these costs are met by a combination of mainstream funding and reserves. Further provision of funding from the Earmarked Reserve Fund has recently been approved by the Executive to manage the complexities of delivering the Council's preferred option of two SDAs and to enable the Plan to be prepared within the timescales laid down in the Council's Local Development Scheme (November 2016).

7. Equality Analysis Implications/Outcomes

- 7.1 The Local Plan will support the sustainable provision of new homes and jobs and assist the Council in meeting its duties under the Equality Act 2010 and Housing Act 2004.
- 7.2 An Equalities Impact Assessment on an earlier version of the Local Plan was undertaken and amendments made to meet the suggestions made for

changes to policies. An updated Assessment is now being prepared relating to the Proposed Submission Local Plan. Early findings recommend changes to 4 policies and these changes have been incorporated into the draft Plan. The Equalities Impact Assessment will be updated as necessary as the draft Plan evolves through the remaining stages of the document's preparation.

8. Risk Management Implications

8.1 The risks associated with each of the three potential SDAs that have been considered as part of the recent selected options exercise were previously described in the reports to the Panel on 3rd April 2017 and to the Executive on 15th May 2017. Further information has subsequently been submitted to mitigate the risks to delivery associated with the East of Lutterworth SDA and further mitigation has been provided concerning proceeding with two SDAs together with the uplift of 20% in housing provision.

8.2 A timely decision on approving the Draft Proposed Submission Local Plan for publication for a period of public representation will help avoid delay to the Local Plan submission / examination / adoption process with consequent beneficial effect on the following Corporate Risks:

CR 08 Risk of challengeable planning decisions being taken relating to planning applications for residential development / Risk of planning appeals being upheld relating to residential planning applications.

CR 10 Local Plan Risks: lack of a sound Local Plan may lead to sporadic development and the inability to defend appeals.

9. Consultation

9.1 Consultation has taken place with the Panel on earlier versions of the emerging Local Plan and on its constituent policies. Consultation has also taken place with other Council services, including detailed discussion with Development Management. The Council's retained lead Counsel has also been consulted. There has been liaison with statutory consultees and Duty to Cooperate partners. Ongoing coordination has taken place with the promoters of the two proposed SDAs leading to the policies for them now proposed.

9.2 The Proposed Submission Local Plan is expected to be published in September 2017 to enable the public and interested parties to comment on its soundness under Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Representations made will be submitted alongside the Plan to the Secretary of State together with a statement relating to them in order to enable the Examination to be undertaken.

10. Options

10.1 The option of not publishing the Local Plan at this stage would result in further delays and risks as outlined in paragraphs 8.1 and 8.2 above. The option of not publishing a Local Plan at all would risk 'planning by appeal'. This would be likely to result in a scenario whereby the Council continue to not have sufficient control over where development takes place across the District and thereby would leave it unable to ensure a planned strategy is in place to

positively manage the delivery of future development in a sustainable way that is also in the public interest.

11. **Background Papers**

[A New Local Plan for Harborough: Options Consultation Paper- September 2015](#)

Previous report(s):

[Report to Executive 9th May 2016: Local Plan Options Assessment and Selection](#)

[Report to Local Plan Executive Advisory Panel 18th July 2016: Selected Options Assessment Methodology](#)

[Report to Local Plan Executive Advisory Panel 22nd August 2016: Draft Local Plan Policies](#)

[Report to Local Plan Executive Advisory Panel 19th September 2016: Assessment of Selected Spatial Options](#)

[Report to Local Plan Executive Advisory Panel 17th October 2016: Assessment of Selected Spatial Options: Update](#)

[Report to Local Plan Executive Advisory Panel 14th November 2016: Draft Local Plan Policies](#)

[Report to Executive 14th February 2017: Leicester and Leicestershire Housing and Economic Needs Assessment \(HEDNA\) and the emerging Local Plan](#)

[Report to Executive 15th May 2017: Selected Spatial Options: Reassessment and Preferred Option for Draft Submission Local Plan](#)

[Report to Local Plan Executive Advisory Panel 19th June 2017: Harborough District Local Plan: Draft Proposed Submission](#)

Consultation undertaken with Planning Portfolio Holder: Y

Information Issued Under Sensitive Issue Procedure: N

Ward Members Notified: N

APPENDICES

A. Planning background for main settlements receiving allocations in the Proposed Submission Local Plan.

B. Revised Proposed Submission Local Plan Policies