

# Harborough District Council

## Report to the Cabinet 20 February 2025



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| <b>Title:</b>            | Proposed Submission Draft Harborough Local Plan 2020-41 for Public Consultation   |
| <b>Status:</b>           | Public  |
| <b>Key Decision:</b>     | No  |
| <b>Report Author:</b>    | Tess Nelson, Head of Strategic and Local Planning   |
| <b>Portfolio Holder:</b> | Cllr Simon Galton (Portfolio Holder) – Planning   |
| <b>Appendices:</b>       | <ul style="list-style-type: none"><li>A. Proposed Submission Draft Harborough Local plan 2020-41 for Public Consultation</li><li>B. Policies Map</li><li>C. Sustainability Appraisal Report</li><li>D. Habitats Regulation Assessment</li><li>E. Regulation 18 Consultation Statement</li><li>F. Duty to Cooperate Statement of Compliance</li><li>G. Equalities Impact Assessment</li><li>H. Authority Monitoring Report</li></ul> |

### Executive Summary

- i. The current Harborough Local Plan (2011-2031) was adopted on 30 April 2019.
- ii. A new Local Plan is being prepared to ensure the development plan remains up to date, in line with Government guidance.
- iii. Following public consultation on Issues and Options in January 2024, the draft Harborough Local Plan has now been prepared and is ready for public consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 in order that the public and interested parties can make representations on its soundness and legal compliance.

### Recommendations

- 1. That Cabinet recommend Council to approve the Proposed Submission Draft Harborough Local Plan 2020-41 and associated Policies Map, Sustainability Appraisal and Habitat Regulation Assessment for publication and public consultation in order that the public and interested parties can make representations on legal compliance and the four tests of soundness set out in National Planning Policy Framework.**
- 2. That any further minor and inconsequential changes to the documents be delegated to the Director of Planning in consultation with the Portfolio Holder for Planning.**

### Reasons for Recommendations

- iv. The Proposed Submission Draft Local Plan is the result of work undertaken to replace the current Harborough Local Plan with a new and updated Local Plan to guide development within the district in the period to 2041.
- v. It is essential to publish the Draft Local Plan and accompanying Policies Maps and accompanying documents for public consultation and invite representations in accordance with Regulation 19 and 20 of the Town and Country Planning (Local Planning) (England) Regulations, 2012 prior to submitting the Local Plan to the Secretary of State for Examination.
- vi. Publication of the Proposed Submission Draft Local Plan is an essential stage of Local Plan preparation, which once adopted will provide Harborough District with a sound basis for the determination of planning applications, providing control over development within the district in the period to 2041.
- vii. Preparation of the Draft Local Plan has been undertaken in accordance with all relevant legal and procedural requirements.
- viii. The Proposed Submission Draft Harborough Local Plan is considered sound when considered against the tests set out in the National Planning Policy Framework, namely that it is:
  - a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
  - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
  - c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

## 1. Purpose of Report

- 1.1 The Proposed Submission Draft Local Plan is the result of work undertaken to replace the current Harborough Local Plan with a new and updated Local Plan to guide development within the district in the period to 2041.
- 1.2 The purpose of this report is for Cabinet to recommend Council approve the Proposed Submission Draft Harborough Local Plan 2020-41 and associated Policies Map and accompanying documents for publication and public consultation in order that the public and interested parties can make representations on their soundness.

## 2. Background

- 2.1 The planning system in England is plan-led. This means that planning applications must be determined in accordance with the development plan for the area, unless material considerations indicate otherwise.
- 2.2 The development plan for the district currently consists of the Leicestershire Waste and Minerals Local Plan to 2031, the adopted Harborough Local Plan (2011-2031) and 'made' neighbourhood plans. The new Local Plan will replace the adopted Harborough Local Plan (2011-2031).
- 2.3 The National Planning Policy Framework (NPPF) sets out the Government's policy framework in respect of planning. This explains that succinct and up to date plans should provide a positive vision for the future of the area. Local Plans should include policies to meet housing needs and address other economic, social and environmental priorities as well as providing a platform for local people to shape their surroundings.
- 2.4 The NPPF explains that plans should:
  - a) be prepared with the objective of contributing to the achievement of sustainable development;
  - b) be prepared positively, in a way that is aspirational but deliverable;
  - c) be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
  - d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
  - e) be accessible through the use of digital tools to assist public involvement and policy presentation; and
  - f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).
- 2.5 The NPPF explains that a Local Plan should include both strategic and non-strategic policies. Strategic policies must look over at least 15 years and set out the overall strategy and make sufficient provision for:
  - a) housing, employment, retail, leisure and other commercial development;
  - b) infrastructure;
  - c) community facilities; and
  - d) conservation and protection of the natural, built and historic environment, including landscapes and green infrastructure.
- 2.6 Local Plans should clearly distinguish between strategic and non strategic policies, with strategic policies providing the context for subsequent Neighbourhood Development Plans to shape their local area.
- 2.7 The NPPF explains that Local Plans should be reviewed every five years in order to assess whether they need updating and then updated as necessary. The current Harborough Local Plan (2011-2031) was adopted on 30 April 2019, and as such is now over five years old.

- 2.8 In the absence of an up-to-date Local Plan, and a 5-year housing land supply, the council could find that it is unable to resist unacceptable development or successfully defend refusals of planning applications on appeal. This could result in unplanned development and in unsustainable locations. However, a new Local Plan is being prepared in line with Government guidance to put the council in a stronger position to deliver sustainable development and associated infrastructure, as well as preserve and enhance Harborough District's rural character, rich environments and local communities.
- 2.9 The Local Development Scheme was approved in December 2023 and sets out the timeline for preparation of a new Local Plan. Preparation of the Local Plan has progressed in accordance with this timeline. Updates to the Local Development Scheme, reported elsewhere on the agenda, set out the next steps, as publication and public consultation (in line with Regulation 19) in March – May 2025, followed by Submission to the Secretary of State for Examination in September/October 2025.
- 2.10 Subsequent examination of the Local Plan is expected to take place until approximately mid-2026. The Local Plan will be examined under the December 2023 version of the NPPF, in accordance with Transitional Arrangements set out in Appendix 1 of the current NPPF (December 2024).

### **3. Details**

#### Issues and Options Consultation

- 3.1 Issues and Options consultation was undertaken between 16 January and 27 February 2024. This was the first stage of public consultation in the preparation of the new Local Plan and was undertaken in accordance with Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations, 2012.
- 3.2 The Issues and Options document and associated Sustainability Appraisal, together with a range of supporting and evidence documents were published and subjected to a six-week period of public consultation. Specific consultation and statutory bodies, local amenity and residents' groups, businesses and individual residents were consulted. A variety of consultation techniques were used in accordance with the Statement of Community Involvement.
- 3.3 The Consultation Statement (Appendix E) sets out the consultation methods used, details of the events as well as a summary of the key issues identified and the feedback received. The issues raised are summarised in the Consultation Statement, together with a brief explanation of how these were used to inform preparation of the Proposed Submission draft Local Plan.

#### Proposed Submission Draft Local Plan

- 3.4 The Proposed Submission Draft Local Plan (Appendix A) and the Policies Map (Appendix B) are attached. It is possible that further minor and inconsequential changes such as typographical and consistency amendments and explanation which does not affect the policy intent will be needed in preparing the document for publication and public consultation. It is therefore recommended that these changes be delegated to the Director of Planning in consultation with the Portfolio Holder for Planning.
- 3.5 The Local Plan is split into 3 key parts (including a total of 36 policies) as follows:

### Part 1: Our spatial strategy:

- Overall Development Strategy, including:
  - Provision of homes and jobs as well as supporting infrastructure;
  - Tackling climate change and enhancing the natural environment; and
  - Preserving heritage and rural character.
- Key Development Sites
- Strategic Policies for Housing
- Directing development to the right place

### Part 2: Design of developments and management of impacts (Development Management policies)

- High Quality Inclusive Design
- Amenity and Wellbeing
- Heritage Asset Conservation and Design Standards
- Landscape Character and Sensitivity
- Green and Blue Infrastructure and Open Space
- Transport and accessibility
- Managing Flood Risk
- Sustainable Drainage
- Sustainable Construction and Climate Resilience
- Biodiversity and Geodiversity Protection and Enhancement
- Managing Impacts on Land and Water Quality
- Protection and Enhancement of Community Facilities
- Existing Business Uses – Retention and Redevelopment
- Shopfront Design
- Outdoor Advertising and Signage Design
- Telecommunications Infrastructure

### Part 3: Implementing this plan

- Monitoring and delivery

- 3.6 The structure of the Local Plan is designed to mirror the requirement set out in the NPPF to include both strategic policies and non-strategic policies and to clearly identify each set. Parts 1 and 3 set out strategic policies, whilst Part 2 sets out the non-strategic policies.
- 3.7 The Plan includes fewer policies than the current adopted Local Plan. This is deliberate to minimise repetition and the need for cross referencing between policies. The Plan is

proposed to wholly replace all policies in the adopted Harborough Local Plan (2011-2031).

3.8 Policies have been positively drafted and the Plan should be read as a whole, so cross-references between policies have generally been avoided. The policies of the Plan will mostly be implemented through the development management system and so relate primarily to whether or not development will be approved, taking into account various criteria. While all policies are important depending on the nature and circumstances of the development proposed, the following are identified as likely to be particularly crucial and/or frequently used:

- **DS01 Development Strategy: Delivering Homes** - sets out the settlement hierarchy, the number of homes planned and where they will be delivered;
- **DS02 Development Strategy: Creating Jobs and diversifying the economy** – sets out the amount of land for business uses and where this will be delivered, the strategy for protecting existing employment areas, the amount and location of land provided for strategic distribution uses and the amount and location of land provided for retail and food/beverage uses;
- **DS03 Development Strategy: Tackling climate change and enhancing the natural environment** – sets out the strategy for ensuring new development contributes to meeting climate change objectives, the protection of biodiversity and geodiversity sites and the strategy for retaining and enhancing blue and green infrastructure;
- **DS04: Development Strategy: Preserving and enhancing our heritage and rural character** – sets out the role of Areas of Separation to protect the distinctiveness of settlements (including the provision of two new Areas of Separation to the north - west of Great Glen and to the south of Ullesthorpe) and protection of the Green Wedges;
- **DS05: Development Strategy: Supporting Strategic Infrastructure** – sets out the strategy to ensure that development is supported by and provides for appropriate infrastructure to mitigate its impacts and provide for sustainable development;
- **SA01: Site Allocations:** sets out the sites allocated for housing, employment, mixed uses, retail and leisure and strategic warehousing;
- **SA02: Land South of Gartree Road Strategic Development Area:** allocates land for provision of c3,150 homes (c1,200 homes within the plan period) as part of a wider cross boundary site with the neighbouring authority of Oadby and Wigston Borough Council (c4,000 homes in total), including provision of employment land, community infrastructure, cemetery provision, travelling show people provision, older persons accommodation, affordable housing, a primary school and land for a secondary school;
- **SA03: North of Market Harborough:** a strategic cluster of three sites – allocating land for a total of 1,700 homes (c.1,350 homes expected within the plan period); older persons accommodation, affordable housing, temporary relocation of the agricultural showground, cemetery provision, a primary school and land for a secondary school;

- **SA04: Scraftoft East:** allocation of land for c.950 homes, affordable housing; older persons accommodation; and a primary school;
- **HN01: Affordable Housing:** sets out the requirement for 40% affordable housing on sites of 10 or more homes, with delivery expected on site in most instances;
- **AP01: Development in Settlements:** sets out the circumstances in which development will be permitted both within and on the edge of settlements;
- **AP03: Development in the Countryside (Residential) and AP04: Development in the Countryside (Commercial / Non-Residential):** sets out the circumstances in which development will be permitted in countryside locations;
- **DM01: High Quality Inclusive Design:** sets out our requirements for good quality design.

### Housing Numbers

3.9 The Local Plan provides for a minimum of 6,422 new homes to 2041. This equates to approximately 360 homes each year to 2041. This is in addition to the houses already built, those with planning permission or allocated for development.

### Supporting documents

- 3.10 The following pieces of supporting information are vital to ensure that the Proposed Submission Draft Local Plan is sound and meets all legal requirements:
- 3.11 **Policies Map (Appendix B):** is an important part of the Local Plan. It shows the geographic area that each policy applies to. For example, it draws a line around each of the sites allocated for development and each of the Areas of Separation. It consists of an overall map of the whole District, with a series of inset maps for each of the settlements or places where particular policies apply.
- 3.12 **Sustainability Appraisal Report (Appendix C):** this is a statutory requirement to ensure all reasonable alternatives have been assessed. The Sustainability Appraisal Report will be consulted on alongside the Proposed Submission Draft Local Plan and provides important information about the way in which the assessment has informed preparation of the Local Plan. A non-technical summary accompanies the report.
- 3.13 **Habitat Regulations Assessment (HRA) Report (Appendix D):** is a statutory requirement in order to assess whether a local plan would adversely affect the integrity of national and internationally important habitats.
- 3.14 **Consultation Statement (Appendix E)** – see section 3.3 of this report above.
- 3.15 **Duty to Cooperate Statement of Compliance (Appendix F):** demonstrates how the requirements of the Duty to Cooperate have been met throughout the preparation of the Local Plan, including how the Council has engaged with neighbouring authorities and prescribed Duty to Cooperate bodies on strategic and cross boundary matters and the outcomes arising from this engagement.
- 3.16 **Equalities Impact Assessment (Appendix G):** see Section 4.10 of this report below.

- 3.17 **Authority Monitoring Report (Appendix H):** - setting out the latest monitoring information.
- 3.18 **Evidence documents (Background documents available at the following [Supporting Evidence | Supporting Evidence | Harborough District Council](#)**– The Plan is supported by a thorough and proportionate evidence base which accords with the policies and principles of the NPPF. The full suite of detailed evidence documents have been prepared by a range of technical expert advisers to the Council. Each of the supporting documents will be published alongside the Proposed Submission Local Plan.

## Conclusion

- 3.19 The Proposed Submission Draft Local Plan is considered to comprise a comprehensive but succinct, positively prepared and deliverable planning framework for the Harborough District. This will enable the positive management of the development needed across the district in the period to 2041.
- 3.20 The Proposed Submission Draft Local Plan provides up to date policies for approving sustainable development and for protecting the environment, resources and assets of the Harborough District. It is considered to be a sound plan; the preparation of which has been undertaken in compliance with all legal requirements.
- 3.21 It is therefore recommended that Cabinet recommend to Council that the Proposed Submission Draft Local Plan be approved for publication in order that the public and interested parties can comment on its soundness.

## 4. Implications of Decisions

### Corporate Priorities

- 4.1 Publication and public consultation on the Proposed Submission Draft Local Plan will support delivery of the following corporate priorities:
- CO1: There will be an adequate supply of housing to meet local needs across all tenures and price ranges, and reducing the potential for homelessness
  - CO2: Our local plan will ensure growth in the area is balanced with employment opportunities and transport and infrastructure needs are met
  - CO3: The rural nature of the district will be recognised, and our heritage and cultural assets are preserved
  - CO4: Our local communities, the voluntary and charitable sector are more engaged and actively managing their own localities and shaping their own places
  - CO5: The district will be shaped through good design, that addresses local needs and promotes healthier life choices
  - CO7: The aging local population will have access to services that help them to live well for longer
  - CO8: Activity will be increased, through the use of active travel routes and the provision of a varied leisure offer throughout the district



- CO11: Our natural environment will be protected and enhanced, with improved access to green open spaces and increased biodiversity
- CO16: The environmental impacts of growth are mitigated as far as practically possible
- CO19: Enterprise and innovation are supported, helping businesses to adapt and survive and to sustain our local economies
- CO20: Inward investment is targeted to increase local opportunities and regeneration of our town centres and growth in business communities
- CO21: Tourism is increased through the showcasing of our local culture and heritage
- CO23: Working with partners a wide range of local employment opportunities are generated for the future growth and prosperity of the area.

## **Consultation**

- 4.2 If approved by Council, the Proposed Submission Draft Local Plan will be published before 12 March 2025 to enable the public and interested parties to comment on its soundness under Regulation 19 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The deadline of 12 March 2025 is set out in the NPPF transitional arrangements (Annex 1). Meeting this deadline ensures the plan will be examined in accordance with the previous NPPF, in accordance with the transitional arrangements. Representations made will be collated and analysed and submitted for Examination to the Secretary of State to inform a future Examination of the Local Plan – The Consultation Statement attached as Appendix E will be updated to identify the main issues raised during the Regulation 19 consultation.

## **Financial**

- 4.3 Preparation of the proposed Submission Draft Local Plan has been undertaken in accordance with approved budgets. Recommended publication and public consultation will be undertaken within existing budgets.

## **Legal**

- 4.4 The Proposed Submission Draft Local Plan is to be published and consulted upon under Regulation 19 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 4.5 The accompanying documents, including the Consultation Statement, Sustainability Appraisal, Habitat Regulation Assessment and Duty to Cooperate Statement of Compliance demonstrate compliance with the relevant legal requirements.
- 4.6 Following consultation, representations received will be collated, analysed and reported to Council for consideration. If considered appropriate, the next step in the preparation of the Local Plan will be to submit the Proposed Submission Draft Local Plan and accompanying documents to the Secretary of State for Examination.
- 4.7 If, following publication of the Draft Plan for public consultation, the Council wishes to make any changes to the Draft Plan prior to submission (apart from minor matters such as for correctness and clarity), these should be included in an Addendum which must be published for a further period for publication to enable representations to be made 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 Draft Local Plan continues in accordance with the timeline set out in the Local Development Scheme and NPPF transitional arrangements.

### **Policy**

- 4.8 Upon adoption the new Harborough Local Plan (2020-2041) will become an important policy document for the Council in the determination of planning applications.

### **Environmental Implications**

- 4.9 Environmental implications are assessed within the accompanying Sustainability Appraisal report.

### **Risk Management**

- 4.10 A timely decision on approving the Proposed Submission Draft Local Plan for publication will help avoid delay to the preparation of the new Harborough Local Plan. This negates the risk of missing the deadline set out in the transitional arrangements for reaching Regulation 19 stage and minimises the period of having an out-of-date Local Plan and subsequent risk of speculative planning applications being successful at appeal.

### **Equalities Impact**

- 4.11 The Equalities Impact Assessment has considered the impact of the full suite of policies set out within the Proposed Submission Draft Local Plan. It has identified a number of positive effects, particularly for those who are currently unemployed or have a low income, young people, elderly persons, wheelchair users and those with disabilities and those in need of affordable housing.

### **Data Protection**

- 4.12 Draft Local Plan consultation will be carried out in compliance with the provisions of the UK GDPR and the data protection Act 2018.

## **5. Alternative Options Considered**

- 5.1 Not approving the Proposed Submission Draft Local Plan for publication and public consultation. This is not considered an appropriate option given the resultant delays to final adoption of the new Local plan and resultant risks of unplanned development arising and described above.

## **6. Recommendations**

- 1. That Cabinet recommend Council to approve the Proposed Submission Draft Harborough Local Plan 2020-41 and associated Policies Map, Sustainability Appraisal and Habitat Regulation Assessment for publication and public consultation in order that the public and interested parties can make representations on legal compliance and their soundness.**
- 2. That any further minor and inconsequential changes to the documents be delegated to the Director of Planning in consultation with the Portfolio Holder for Planning.**

## 7. Background papers

[Local Plan supporting evidence](#)