

REPORT TO THE EXTRAORDINARY EXECUTIVE MEETING OF 15^h February
2018

Meeting: Extraordinary Executive
Date: 15th February 2018
Subject: Harborough Local Plan: Submission
Report of: Strategic and Local Planning Manager
Portfolio Holder: Cllr. P. King
Status: For Recommendation
Relevant Ward(s): All

1. Purpose of the Report

1.1 For the Executive to recommend to Council that the Harborough Local Plan 2011 to 2031 be submitted to Government for Examination.

2. Recommendations

The Executive is advised to recommend to Council:

2.1 That the Harborough Local Plan 2011 – 2031 is submitted to Government for Examination, along with the associated Policies Map, and relevant supporting evidence and documentation.

2.2 To note the Consultation Statement (Appendix A) and Duty to Cooperate Statement (Appendix B).

2.3 That it agrees the schedule of modifications to the Local Plan (Appendix C).

2.4 That it requests the appointed Inspector to recommend modifications to the submitted Local Plan, in the event that the Inspector considers that such modifications would make the Plan sound and/or legally compliant.

2.5 That it delegates authority to the Head of Planning and Regeneration, in consultation where necessary and expedient with the Portfolio Holder for Planning, to:

a) Complete any documents required to fulfil the regulatory requirements at Local Plan submission, as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 and to meet the best practice advice of the Planning Inspectorate and Planning Advisory Service; and

b) Agree actions and make decisions that are necessary during the examination to ensure that the Local Plan can be found sound and that any legal compliance issues are resolved; and

c) If needed, provide a list of minor changes for publication during the Examination.

d) Make any inconsequential changes and typographical changes to the submission Local Plan, Policies Map, and other associated documentation that are identified before the date of submission.

3. Summary of Reasons for Recommendations

3.1 Work on preparing the Harborough Local Plan 2011 – 2031 (the Local Plan) is now at an advanced stage. In September 2017 Members agreed to publish the Local Plan for public consultation. This consultation is now complete and the main issues raised are summarised below.

3.2 It is considered that the responses received to the consultation do not raise any issues of soundness that cannot be resolved during the Local Plan Examination. As such the Executive is advised to recommend to Council that the Local Plan be submitted to Government for Examination.

3.3 The Local Plan is based on a significant amount of evidence which underpins its policies and proposals. This evidence was prepared taking into account the current national, sub-regional and local planning context. It is therefore important that the Local Plan is submitted, before the value of that investment declines with the passage of time and the publishing of new material by others that could undermine it.

4. Key Facts

Next Steps

4.1 The remaining steps in Local Plan preparation can be summarised as follows:

- Submission - to the Government for independent examination
- Examination - by a Planning Inspector, including Public Hearings. The Inspector may recommend modifications to the Local Plan so that it can be found sound, and these may need to be consulted on during the Examination, prior to the Inspector issuing his/her final report.
- Inspector's Report – the Council is the only party that will have two weeks to 'fact check' a preliminary version of this. The final Inspector's Report is then provided to the Council and is normally published with the Council papers when the resolution to agree to adopt the Local Plan is being sought.

- Adoption – by the Council. Full weight cannot be given to the Local Plan, and it does not form part of the statutory development plan for the area until this stage is reached.
- 4.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the documents that need to be submitted to Government alongside the Local Plan. These include:
- a Duty to Co-operate Statement (see paragraph 4.13 below);
 - a Consultation Statement (see from paragraph 4.7 below);
 - the Policies Map;
 - Sustainability Appraisal;
 - Habitat Regulations Assessment Screening Opinion;
 - copies of the representations made;
 - The Statement of Community Involvement;
 - The Local Development Scheme; and,
 - other supporting documents relevant to the preparation of the plan (e.g. the evidence base).
- 4.3 Other than updates to the Duty to Cooperate Statement and Consultation Statement which are considered below, all of the above documents have already been published in full by the Council.
- 4.4 Although not a statutory requirement, guidance from the Planning Inspectorate and the Planning Advisory Service indicate, that it is good practice to submit documents, such as ‘self assessments of soundness and legal compliance’ and ‘Topic Papers’, alongside a Local Plan to help the Planning Inspector (and others).
- 4.5 These items do not raise any new policy issues or evidence, and are largely administrative in nature. Because of this, and the advantages of submitting the plan promptly, it is recommended that completion of these ‘best practice’ documents be delegated to the Head of Planning and Regeneration (see the advice in paragraph 2.5(a) above).
- 4.6 As soon as reasonably practicable after submission to Government, the Council will publish all the documents that have been submitted for Examination on a dedicated Examination Webpage, and provide notice of the submission and availability of documents.

Consultation

- 4.7 Consultation on the Proposed Local Plan took place between 22nd September and 17th November 2017. The Council received some 2,000 representations that were made by some 430 people or organisations. The Consultation Statement in Appendix A contains a summary of the main issues and a summary of each representation. The main issues raised through the consultation are considered to be:

Chapter 3: Sustainable Settlements

- Over reliance on two large Strategic Development Areas (SDAs), non-allocated sites and sites to be allocated in Neighbourhood Plans to deliver housing growth; additional sites in sustainable settlements and reserve sites (with a mechanism for release in the plan period) should be allocated in order to provide a five year supply of housing land and to meet the overall requirement.

Chapter 5: Housing

- Objectively assessed housing need (as set out in the Housing and Economic Needs Assessment) is too high.
- Objectively assessed housing need (as set out in the Housing and Economic Needs Assessment) is too low and should increase to 581dpa to take account of affordability issues in the District and the impact of growth at Magna Park.
- The allowance in the housing land supply for contingencies is too small.
- Plan should set aside a specific amount of housing land to help meet Leicester's unmet need or be delayed to enable a Memorandum of Understanding to be put in place to deal with Leicester's unmet need.
- Need to explain that some Rural Centres and Selected Rural Villages (such as Kibworth and Great Bowden) do not have a housing requirement because of the high number of houses already built or committed there.
- Potential impact on nearby services and facilities and access and drainage issues arising from the Claybrooke Parva gypsy and traveller site allocation.

Chapter 6: Business and Employment

- Too much land is allocated for general employment needs.
- No need for the storage and distribution development south of the A4304 as part of the East of Lutterworth SDA, which would result in the loss of good quality agricultural land and traffic congestion.
- No need for growth at Magna Park as unemployment is low and jobs created would not suit local people.
- Magna Park is unsuitable for further growth because it does not have a rail terminal; should be more reliance on rail based sites.
- Growth at Magna Park risks undermining delivery of nearby strategic rail freight interchanges.

- Traffic growth and congestion, air quality issues, noise and light pollution and impact on archaeology arising as a result of growth at Magna Park.

Chapter 13: Scraptoft, Thurnby and Bushby

- Traffic congestion, loss of the golf course, Green Wedge and Local Nature Reserve, impact on local wildlife and strain on local infrastructure arising from the Scraptoft North SDA.

Chapter 14: Market Harborough

- Traffic congestion and visual impact on the surrounding landscape arising from Overstone Park housing allocation.
- Traffic congestion, access problems, drainage issues and impact on local wildlife arising from Burnmill Farm housing allocation.

Chapter 15: Lutterworth

- Traffic congestion, potential impact on Grade 2* listed Misterton Church, air quality issues, strain on local infrastructure and concern about its relationship with Lutterworth arising from the East of Lutterworth SDA.
- Need for the East of Lutterworth SDA to provide a by-pass for Lutterworth, rather than a spine road through the development.

Chapter 16: Fleckney

- Traffic congestion arising from land off Arnesby Road, Fleckney.

- 4.8 It is considered that the responses received to the consultation do not raise any issues of soundness that could not be resolved during the Local Plan Examination. As such it is recommended that the Local Plan be submitted to Government for Examination in March 2018.
- 4.9 The Consultation Statement in Appendix A will be submitted alongside the Local Plan in order to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 4.10 Members will be aware that an Interim Consultation Statement was published alongside the Local Plan in September 2017, setting out how the Council had involved the community in the preparation of the Local Plan 'to date'.
- 4.11 The Consultation Statement has been updated to include the most recent consultation that took place in September to November 2017 and is attached at Appendix A to this report. It contains an overview of the consultation (including a summary of the main issues) at Chapter 7 and summary of each representation in Appendix A1 of the statement. The Executive is therefore advised to recommend to Council that it notes the Consultation Statement.

- 4.12 Technical responses to the main issues and representations received are included in the Consultation Statement to assist the Inspector and accord with relevant guidance.

Duty to Cooperate

- 4.13 The Duty to Cooperate Statement (Appendix B) demonstrates how Harborough District Council has complied with the statutory Duty to Cooperate (the Duty) in preparing the Local Plan. The Duty to Cooperate Statement has been prepared to support the submission of the Local Plan to Government. The Executive is therefore advised to recommend to Council that it notes the Duty to Cooperate Statement in Appendix B.
- 4.14 The Localism Act 2011 and the National Planning Policy Framework (NPPF) require local planning authorities, county councils and other public bodies (often referred to as 'prescribed bodies') to work together to address strategic planning matters that cross local authority boundaries. The Duty to Cooperate is the mechanism for ensuring that this happens and requires constructive, active and ongoing engagement. Local planning authorities must demonstrate how they have complied with the Duty.
- 4.15 Members will recall that the Draft Duty to Cooperate Statement was published alongside the Local Plan in September 2017. The Duty to Cooperate Statement in Appendix B, has been updated to reflect the representations received from Local Authorities and 'prescribed bodies', and the ongoing constructive engagement that has taken place.
- 4.16 None of the Local Authorities or 'prescribed bodies' have stated that the Council has failed the Duty to Cooperate and it is considered that engagement has been/is constructive, active and ongoing as set out in the Duty to Cooperate Statement. Some concerns have been raised that more properly relate to the justification and effectiveness of the Local Plan, rather than whether the Council has complied with the Duty. These matters are summarised in Chapter 7 of the Duty to Cooperate Statement and the main strategic concerns (i.e. matters that affect more than local planning area) are set out below:
- **Hinckley & Bosworth Borough Council (HBBC)** – consultation response was 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 Hinckley & Bosworth; increase saturation of Strategic Distribution in one area; and increase pressure on the A5. Officers from Harborough and HBBC met to discuss the representation on 11th January 2018. It was confirmed that HBBC do not consider that the Council has failed the Duty to Cooperate and that both parties are happy to work together to produce a Statement of Common Ground.
 - **Leicester City Council** - Welcomes the Strategic Priorities which refer to meeting housing and employment needs of the housing and economic market area. It appreciates that work is ongoing across the Housing Market Area (HMA) on a Memorandum of Understanding 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). The City also seeks further justification for the amount of employment land provision in Policy BE1. 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.

- **Kettering Borough Council** - Does not consider that site MH1 Overstone Park is a suitable location for residential development and 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.
- **Rugby Borough Council** – is 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 (WCCHA). WCCHA have clarified that it supports complimentary employment sites that will attract investment and jobs, and 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.
- **Daventry District Council** - 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.
- **The Homes & Communities Agency** - generally support the process that has been undertaken, but would like the Stretton Hall Farm Site to be considered as reserve site for housing.

4.17 The above responses should be considered in the context that the Duty to Cooperate is not a duty to agree. The Council has carried out extensive engagement to identify and address Strategic Priorities, including around Policy BE2 Strategic Distribution. In this respect, if a body raises concerns or does not agree with the approach taken in the Local Plan, it does not necessarily mean that the Council has failed the Duty.

4.18 The Duty requires constructive, active and 'ongoing' engagement. In this respect, the Duty does not end once the papers for Council are published. Any further developments may need to be documented, and there will be an opportunity to try and resolve any concerns with Local Authorities and prescribed bodies before and during the Examination. The advice in paragraph 2.5(a) above would allow any updates to be captured and ensure that all matters relating to the Duty are appropriately covered and presented to the Examination.

The Examination Process and the Need for Delegation

- 4.19 The Examination process starts on submission of the Local Plan to Government and ends once the Inspector issues his/her final report. The Council must therefore be equipped to move swiftly into the Examination process.
- 4.20 The Inspector will take control of the Examination process from start to finish. In this respect, the Council will have limited control over the process, or any matters or issues that may emerge during the Examination. It is therefore important that the Council is ready for the Examination; able to be 'agile' throughout the process; and respond immediately if necessary to the Inspector's requests whenever they occur.
- 4.21 There will be an opportunity prior to the hearing sessions to try and resolve any objections with representors, and where this is not possible, agree statements of common ground (e.g. Historic England has already indicated it wants to work with the Council on the latter).
- 4.22 In the lead up to the hearing sessions, the Council and other interested parties will have about 2-3 weeks to provide statements that respond to the main issues questions posed by the Inspector. The Council will also have to respond to the statements made by others during the Examination and it is not uncommon for an Inspector to request papers on a specific issue at short notice.
- 4.23 Changes may also occur at the National, sub-regional and local level that Council may need to respond to quickly. Examples include:
- changes to the National Planning Policy Framework (expected in Spring 2018);
 - changes to legislation governing the local planning process (expected in 2018);
 - progress on the Strategic Growth Plan for Leicester & Leicestershire and the Memorandum of Understanding between HMA authorities; and,
 - the Inspector's Report into examinations of other Local Plans in the area (e.g. Melton Borough Council who are at a more advanced stage).
- 4.24 The Inspector may request that the Council gives immediate consideration to suggested modifications proposed by him/herself or another party, or may ask the Council to propose a modification on its own or in agreement with other parties that can be brought back to a later session of the hearings (or submitted at the end of the hearings stage).
- 4.25 Given the tight turnaround for responding to requests from the Inspector for actions and decisions, it will often be impractical to consider the responses through formal member meetings. It is in the Council's interest to ensure that the Local Plan Examination proceeds as efficiently and effectively as possible, to keep the costs to a minimum, to get through to adoption as quickly as

possible, and to ensure that the Inspector forms a positive impression of the Council in the exercise of its planning functions.

- 4.26 The advice to the Executive is therefore to recommend to Council that during the Examination, authority is delegated (as set out in paragraph 2.5(b) above) to ensure that the Local Plan can be found sound and that any legal compliance issues are resolved expeditiously.
- 4.27 Local Plan Examinations are open and transparent. All correspondence between the Council and the Inspector is handled by a Programme Officer who is independent of the Council. All documents sent to and from the Inspector will go through the Programme Officer and will have to be published on the Local Plan Examination Webpage. It is the role of the Programme Officer to do this.

Modifications

- 4.28 The Inspector will only recommend Main Modifications, necessary to make the Local Plan sound and/or legally compliant, if formally requested to do so by the Council. It is therefore suggested that the Council makes this request as recommended in paragraph 2.4 above. Any Main Modifications will be subject to public consultation for at least 6 weeks and the responses taken into account by the Inspector as part of the examination process.
- 4.29 Main Modifications should only be suggested if they are considered critical to the soundness of the plan, and not just to make the plan better. If the Council suggest too many modifications at this stage, it may appear that it does not consider the Local Plan to be sound.
- 4.30 The Council can make additional (i.e. minor) modifications to the Local Plan on adoption. It is therefore not necessary for the Local Plan to be accompanied by a detailed schedule of all changes when the plan is submitted.
- 4.31 Taking the above into account, Appendix C contains a Schedule of Modifications to the Local Plan for the Inspector's consideration. Members are advised to recommend that Council agree Appendix C. The schedule includes the following changes:
- Key Issue 8: Transport – Replace first bullet with “***Mitigating the highways and transportation impacts of new development within and, where necessary, beyond the District.***”
 - GD3: Development in the countryside clause 1 - Add new criterion to GD3.1 as follows: “***the delivery of strategic distribution development in accordance with Policy BE2.2***”
 - H1 Provision of new housing - Add additional sentence to explanation para 5.1.17: “***In relation to Broughton Astley, the Kibworths, Husbands Bosworth, Ullesthorpe, Great Bowden, and North Kilworth, the***

residual housing requirement is zero due to the high level of recent completions and ongoing housing commitments.”

- H2: Affordable Housing clause 1c - Delete criterion H2.1.c: ~~e. of more than 0.5 hectares~~
- BE2: Strategic distribution clause 2f - change criterion 2f from: ~~ensure 24 hour operations do not have an unacceptable environmental, community or landscape impact in the immediate and wider surrounding area.~~
To: “ensure ***the development, including*** 24 hour operations, does not have an unacceptable environmental, community or landscape impact in the immediate and wider surrounding area.”
- RT1: Provision of new retail uses clause 3a vi - Remove criterion 3.a.vi from allocation criteria: ~~mitigating flood risk.~~
- RT1: Provision of new retail uses clause 3b iv - Remove criterion 3.b.iv from allocation criteria: ~~mitigating flood risk~~
- RT4: Tourism and leisure clause 3c - Remove criterion RT.3.c from allocation criteria: ~~mitigates flood risk~~
- RT4: Tourism and leisure explanation para. 7.7.7 - Add additional sentence in at para 7.7.7: “***An element of residential and office development would be acceptable on the site providing it is small scale and complementary to the allocated uses (leisure, entertainment and tourism), and secures the viability of the overall redevelopment scheme.***”
- RT4: Tourism and leisure explanation para. 7.7.11 - Delete explanation para 7.7.11: and replace with: “***The Canal and River Trust, as owner and operator of Foxton Locks, is working to identify how best to manage the area as a regional tourist destination in the future. Foxton Locks is identified as one of four projects in the Leicester and Leicestershire Canal and Rivers Investment Programme, part of the Leicester & Leicestershire Economic Partnership's Strategic Economic Plan (2014-2020). Appropriate sensitive, sustainable development to enhance future visitor experience of Foxton Locks will be supported by the Council, providing that this maintains and enhances the heritage asset in accordance with Policy HC1.***”
- HC1: Built heritage Clause 2 Amend Clause 2 from:

~~Development will be refused where the proposal would lead to harm to or the loss of significance of a heritage asset and/or its setting, unless it can be demonstrated that the harm or loss is clearly outweighed by the public benefits of the proposal.~~

To:

“Where the proposed development would lead to substantial harm to a designated heritage asset within its setting, or its total loss, planning permission will not be granted unless:-

- a) The proposed development would result in substantial public benefits which demonstrably outweigh the consequential harm to, or loss of, the heritage asset; or***
- b) The nature of the heritage asset prevents all reasonable uses of the site; and***
- c) No viable use can be found within a reasonable period of time despite appropriate marketing at a reasonable price reflecting the location, size and condition of the heritage asset; and***
- d) conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and***
- e) The harm or loss is demonstrably outweighed by the benefits to the public of bringing the site back into beneficial use.***

Where the proposed development would lead to less than substantial harm to a heritage asset and/or its setting, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

- HC2: Community facilities para. 8.3.2 - Amend explanation para. 8.3.2 as follows:

Community facilities (~~for example, places of worship, town and village halls, community centres, indoor sports facilities, schools, doctors' surgeries and libraries~~) **provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community. They** play an important role at the heart of communities, providing hubs for recreation, congregation and interaction through which social networks can be maintained, while minimising the need to travel.

- CC3: Managing flood risk 2a - Amend criterion CC3.2.a as follows:
It satisfactorily addresses the mitigation, flood management, **flood resilience measures** and design requirements identified in a site-specific Flood Risk Assessment of all sources of flood risk on the site and down stream of the site.
- CC3: Managing flood risk 3b amend criterion CC3.3.b as follows: Flood Zone 3b: water compatible development **where appropriate**; this zone will be safeguarded to ensure protection of the functional floodplain.
- CC4: Sustainable drainage 3g amend criterion CC4.3.g as follows:
Demonstrate that the peak rate run-off over the lifetime of the development, allowing for climate change, is no greater for the developed site than it was for the undeveloped site **and reduced wherever possible.**

- SC1: Scraftoft North SDA Clause 4/ Inset Map 55 (Houghton on the Hill) amend Inset Map 55 (Houghton on the Hill) to show correct boundary for the proposed golf course.
- 4.32 In addition to the above, the Council may need to make some further minor changes to the plan (i.e. changes that do not affect the soundness or legal compliance of the Local Plan), for example to clarify elements of the plan or ensure it is factually correct and up-to-date (as referred to in recommendation 2.5(c) above). These minor changes are in addition to any inconsequential and typographical changes that are identified before the Local Plan is submitted (as referred to in advice paragraph 2.5(d) above).
- 4.33 For completeness, it is common practice for Council's to publish these further minor changes alongside any Main Modifications that are required by the Planning Inspector. It is therefore suggested that the Head of Planning and Regeneration has delegated authority to provide a list of minor changes (see recommendation 2.5(c) above).

Magna Park

- 4.34 Members will be aware of the Council's recent refusal of a planning application adjoining Magna Park. This is not considered to have any impact on Policy BE2 – Strategic Distribution in the Local Plan.
- 4.35 The Local Plan (Policy BE2) does not propose or allocate land for the expansion of Magna Park. It is a 'criteria based' policy against which planning applications would be considered. Subject to an application meeting the criteria in the policy, it may be approved (taking into account other relevant considerations). Similarly, if an application conflicts with the policy it may be refused (subject to other relevant considerations).
- 4.36 There are many of these 'criteria based' policies in the Local Plan. For example, Policy GD4 - New Housing in the Countryside would allow housing in countryside subject to a range of criteria. This policy does not 'propose' new housing in the countryside, but will allow it if a planning application can meet the necessary criteria (and other relevant considerations).
- 4.37 Policy BE2 is similar, except it has the addition of a 'maximum' amount of floorspace to prevent any extensions of, or sites adjoining, Magna Park becoming so great that they could require significant redistribution of housing across the Housing Market Area. Policy SS1 and H1 provide a sufficient number of houses, should the maximum upper limit of 700,000 sq. m be realised at or adjoining Magna Park.
- 4.38 Neither the National Planning Policy Framework (NPPF) nor the Council's evidence that informs Policy BE2 has changed since the planning application adjoining Magna Park was refused. The Government remains committed to securing sustainable economic growth and ensuring that the planning system does everything it can to support it. In this respect, the Local Plan reflects the need to positively encourage sustainable economic growth and Policy BE2 plans for the management of Magna Park in a way that reflects the need to

encourage economic growth and the Council's own evidence in setting a maximum upper limit of 700,000 sq.m. Taking the above into account, changes to the maximum upper limit in Policy BE2 would not be justified. Other minor changes to Policy BE2 are suggested in Appendix C for clarity reasons.

Conclusions

- 4.39 Work on preparing the Harborough Local Plan 2011 – 2031 is now at an advanced stage. In September 2017 Members agreed to publish the Local Plan for consultation which is now complete.
- 4.40 It is considered that the responses received to the consultation do not raise any issues of soundness that cannot be resolved during the Local Plan Examination. As such the advice to the Executive is to recommend to Council that the Harborough Local Plan 2011 to 2031 be submitted to Government.

5. Legal Issues

- 5.1 If agreed by Council, the Local Plan will be submitted to the Secretary of State under section 20 of the Planning and Compulsory Purchase Act 2004, along with any documents required to fulfil the regulatory requirements at Local Plan submission, as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, and other appropriate documentation.

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 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 to timetable.

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 has been prepared relating to the Local Plan that will be submitted to Government with the Local Plan. This will be updated as appropriate during the Examination.

8. Risk Management Implications

- 8.1 A timely decision on submitting the Local Plan will help to 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.

8.2 Other risks include changes to National Policy anticipated in 2018 which the Local Plan may need to comply with.

9. Consultation

9.1 Consultation has taken place with the Local Plan Executive Advisory 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. There has also been liaison with statutory consultees and Duty to Cooperate partners.

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. Delays could result in the need for additional evidence to respond to changes in national policy or the need to extend the plan period beyond 2031 (to ensure the plan covers a reasonable time period). If the plan period was extended additional sites for development may be needed and the evidence base updated as appropriate, with associated additional cost to the Council, in order to cover the period beyond 2031. 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

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

Report to Local Plan Executive Advisory Panel 24th July 2017: Draft Proposed Submission, Further Changes to Policies

Report to Local Plan Executive Advisory Panel 24th July 2017: Harborough District Local Plan: Draft Proposed Submission – Employment Sensitivity

Report to Local Plan Executive Advisory Panel 23rd August 2017: Harborough District Local Plan: Proposed Submission

Report to the Local Plan Executive Advisory Panel 1st February 2018: Harborough Local Plan: Submission

Consultation undertaken with Planning Portfolio Holder: Y
Information Issued Under Sensitive Issue Procedure: N
Ward Members Notified: N

APPENDICES

Appendix A: Statement of Consultation – available on line at:

<https://cmis.harborough.gov.uk/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/5355/Committee/807/SelectedTab/Documents/Default.aspx>

Appendix B: Duty to Cooperate Statement – available on line at:

<https://cmis.harborough.gov.uk/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/5355/Committee/807/SelectedTab/Documents/Default.aspx>

Appendix C: Schedule of Modifications - attached.

(Hard copies of Appendices A and B are available in group rooms for Council Members and at the Harborough District Council Offices concierge for members of the public. A hard copy will also be available at the meeting.)