

OFFICER RESPONSE by HBBC to HDC 27.02.24 Reg 18 LP I&O

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Harborough District Council New Local Plan Regulation 18 Issues and Options Consultation Document

Introduction

The Borough Council welcomes the opportunity to comment on Harborough DC's Local Plan Regulation 18 Consultation Document.

The continued close working that Harborough DC has with other partners in the Leicester and Leicestershire Housing Market Area and Functional Economic Market Area is recognised and supported.

It is acknowledged that HMA authorities should seek to jointly resolve any strategic cross-boundary matters with partners under the Duty to Cooperate, set out in the Localism Act 2011 and National Planning Policy Framework (December 2023), especially where robust evidence exists in relation to unmet needs. Whilst it is recognised that the Government intends to reform the planning system, with the Duty to Cooperate due to be replaced (through an 'alignment policy'), the Duty currently remains in place.

Without a clear aligned approach to strategic planning and delivery, local authorities within Leicestershire face high levels of speculative development with the consequent high risk of inadequate developer contributions towards infrastructure provision. Hinckley and Bosworth Borough Council fully commits to collaborative joint working on an ongoing basis and looks to forward to engaging in future consultations on the emerging Local Plan. The Borough Council supports a collaborative and coordinated approach towards the definition and allocation of infrastructure funding requirements of Local Plans across Leicestershire.

The Borough Council's comments are high level and limited in scope given that the Regulation 18 consultation document seeks views upon a range of discursive strategies, options and policies. The Borough Council also recognises that the document has been prepared against prevailing national planning policy (NPPF September 2023). Later versions of the Local Plan and the supporting evidence base will have regard to revisions in national planning policy and guidance on an iterative basis e.g. NPPF and NPPG December 2023.

Question 1

Do you have any comments on the Issues and Options Sustainability Appraisal report? Do you consider the approach appropriate? Do you agree with its findings?

It is recognised that the Sustainability Appraisal report has been prepared at an early stage in the plan making process. There is the potential for it be informed by other evidence prepared by other planning authorities and stakeholders beyond the administrative boundary, For SA Objective 3, for example, this could include the emerging Joint Water Cycle Study, the Water Resource Management Plans prepared by Severn Trent Water and Anglian Water, Regional Plans produced by Water Resources East and West and by Minerals and Waste Plans.

In the absence of a Regional Plan for the East Midlands, strategic policies relating to the management and enhancement of natural resources should be carefully coordinated. Since the Adoption of the current Local Plan in 2019, the area covered by Severn Trent has been determined by the Environment Agency to be an Area of Serious Water Stress. The area covered by Anglian Water for the East continues to be seriously water stressed. The resilience of strategic infrastructure networks and plant to withstand the challenges brought about by growth, both planned and unplanned, and by climate change is a shared risk.

It is noted that there isn't a question related to another supporting document listed in the evidence i.e. the HRA Scoping Report (January 2024). This document at para. 5.8 highlights the additional evidence required in three topic areas i.e. recreation, air quality and integrated water management, all of which have potential to also inform the SA.

Appendix A.1 of the HRA Scoping report (January 2024) is a map of European Sites within and beyond the 15km buffer zone to the administrative boundary. The map includes the River Mease SAC. However, the River Mease SAC is not discussed within the body of the HRA report. The previous HRA produced for the Adopted Local Plan included reasons for the River Mease SAC to be excluded for further evaluation. The Standing Advice from Natural England relating to the River Mease SAC (2022) can be found at [River Mease standing advice Jan 2022 Final.pdf \(nwleics.gov.uk\)](https://www.nwleics.gov.uk/river-mease-standing-advice-jan-2022-final.pdf). Natural England's Standing Advice reflects case law relating to "embedded" mitigation and certainty. Competent authorities should therefore only authorise a plan or project if they have made certain that it will not adversely affect the integrity of a European site. This means that no reasonable scientific doubt remains as to the absence of effects.

Appendix A.2 of the HRA Scoping Report (January 2024) relates to strategic roads within the district and also within 15kms of the district. The district boundary shown in red is contiguous with the A5. For further evidence on the topic of air pollution, it is considered all roads within the primary network should be listed and illustrated.

END.