

Charnwood Local Plan

Duty to Cooperate Topic Paper

May 2021

1. Introduction

- 1.1. This topic paper is one of several background and technical documents that have been prepared in order to inform and support the preparation of Charnwood Borough Council's Local Plan. It specifically addresses the requirements set out in the Localism Act (2011), Section 33A (Part 2) of the Planning and Compulsory Purchase Act 2004, the National Planning Policy framework (NPPF) and National Planning Practice Guidance (PPG) for Local Plans to be prepared in a manner that meets the duty to cooperate.
- 1.2. This statement sets out the arrangements established and followed for constructive, active and ongoing engagement with neighbouring authorities and prescribed bodies during the Local Plan's preparation. It also documents how discussions with authorities and prescribed bodies have shaped the policies and site allocations within the Local Plan, and details the processes, actions, and outcomes identified and carried out by the Council in discharging its duty to cooperate.
- 1.3. The overall purpose of this topic paper is to:
 - demonstrate that appropriate processes for cooperation have been established and followed (i.e. engagement arrangements);
 - detail the constructive, active and ongoing engagement with neighbouring authorities and prescribed bodies that has taken place (i.e. when, with whom, and for what purpose);
 - identify the key strategic matters addressed and how the Council has cooperated to maximise the effectiveness of the Local Plan in the context of cross-boundary issues; and
 - record where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these.

2. What is the Duty to Cooperate?

- 2.1. The duty to cooperate was introduced by the Localism Act 2011 (which amended the Planning and Compulsory Purchase Act 2004). It placed a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. The duty to cooperate is not a duty to agree, however local planning authorities are expected to make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.
- 2.2. Section 33A(3) in Part 2 of the Planning and Compulsory Purchase Act 2004 sets out the activities which bodies subject to the duty to cooperate must cooperate on. This includes the preparation of development plan documents and activities that can reasonably be considered to prepare the way for activities relating to strategic matters (such as the sustainable development or use of land that would have a significant impact on at least two planning areas - in particular for or in connection with infrastructure that is strategic). This also includes sustainable development or use of land that is a county matter, or that would have a significant impact on a county matter.
- 2.3. Local planning authorities must also demonstrate how they have complied with the duty to cooperate during the examination of their Local Plans. As part of this, local planning authorities need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters. If a local planning authority cannot demonstrate that it has complied with the duty, then its Local Plan will not be able to progress through examination. Hence it is essential that local planning authorities can satisfy themselves that they have complied with the duty. All parties should approach the duty in a proportionate way, tailoring cooperation according to where they can maximise the effectiveness of plan preparation.
- 2.4. In summary, the duty to cooperate:
 - relates to the sustainable development or use of land that would have a significant impact on at least two local planning areas (especially in connection with strategic infrastructure);
 - requires councils to consider joint approaches to plan preparation so to produce positively prepared and justified strategies; and
 - requires councils and prescribed bodies to engage constructively, actively and on an ongoing basis to identify and address strategic matters that cross administrative boundaries.
- 2.5. A number of public bodies need to be considered as part of the duty to cooperate process, these include bodies which are formally prescribed in legislation, but also other bodies which local authorities should have regard for.

- 2.6. The public bodies that are subject to duty to cooperate as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, are:
- The Environment Agency
 - Historic England
 - Natural England
 - The Mayor of London (where applicable)
 - The Civil Aviation Authority
 - Homes England
 - Clinical commissioning groups established under section 14D of the National Health Service Act 2006
 - National Health Service (NHS) England
 - Office of Rail and Road
 - Transport for London (where applicable)
 - Integrated Transport Authorities
 - Highway authorities within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, i.e. Highways England, where it is the highways authority)
 - The Marine Management Organisation.
- 2.7. These bodies are considered to play a key role in delivering local aspirations, and therefore cooperation between them and local planning authorities is vital to make Local Plans as effective as possible on strategic cross boundary matters. Bodies and authorities should be proportionate in how they do this and tailor the degree of cooperation according to where they can maximise the effectiveness of plans.
- 2.8. Relevant bodies have been consulted at each stage of Charnwood's Local Plan preparation process and have had both informal and formal opportunities to input and comment on aspects of the Plan's approach and wording.
- 2.9. A separate Statement of Consultation has been prepared alongside the Local Plan that provides an overall picture of the formal consultation carried out (including with prescribed bodies and authorities relevant to Charnwood Borough Council's duty to cooperate). This statement includes a detailed summary of the matters raised against each part of the Local Plan.
- 2.10. It should be noted that the matters raised by prescribed bodies and neighbouring authorities have been discussed with those bodies/authorities (either formally or informally) and those discussions have helped shape policies and site allocations within the Local Plan.
- 2.11. This topic paper documents the constructive and active engagement that has taken place with other authorities and bodies whilst preparing the Charnwood Local Plan, including the outcomes achieved through cooperation to address strategic cross-boundary matters and priorities. The statement also illustrates how the Local Plan is based on effective and ongoing cooperation and

agreement and will form part of the evidence required to demonstrate that the council has complied with its statutory duty to cooperate during examination.

3. Engagement Arrangements

- 3.1. This section outlines the formal cooperation arrangements that have been established and followed with neighbouring local planning authorities and other relevant bodies in order to secure on-going cooperation. These arrangements have been in place at the outset of the plan making process and continued throughout.
- 3.2. The Council has engaged with a wide range of authorities and bodies to address key strategic matters through effective joint working. Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty, but local planning authorities and county councils in England, and prescribed public bodies, must cooperate with them. Local planning authorities must have regard to their activities when they are preparing their local plans, so long as those activities are relevant to plan-making. Therefore, in addition to the prescribed bodies listed in paragraph 2.5 the following organisations have also been cooperated with:
- The Leicester and Leicestershire Enterprise Partnership (LLEP)
 - Leicestershire Local Nature Partnership (LLNP)
- 3.3. Charnwood Borough Council has also contacted and discussed Local Plan issues with a wide range of other public bodies (not subject the duty to cooperate) that will be directly affected by policies and proposals set out in the Local Plan (these include both statutory and non-statutory consultees).

The Leicester and Leicestershire Enterprise Partnership

- 3.4. The Enterprise Partnership seeks to work with partners across the public and private sectors with the goal of stimulating growth that will create jobs and prosperity for everyone who lives, works and does business in the region. The Enterprise Partnership also provides a forum which allows member local planning authorities to cooperate with each other and meet their duty to cooperate on strategic matters, including:
- The Local Industrial Strategy;
 - The Strategic Economic Plan;
 - The Skills Strategy; and
 - The Green Economy.
- 3.5. The Leicester and Leicestershire Enterprise Partnership has partnered with the planning authorities responsible for strategic planning matters:
- Leicestershire County Council
 - Leicester City Council
 - Charnwood Borough Council
 - Melton Borough Council
 - Harborough District Council
 - Oadby and Wigston Borough Council
 - Blaby District Council

- Hinckley and Bosworth Borough Council
 - North West Leicestershire District Council
- 3.6. Charnwood borders Leicester, Melton, Harborough, Blaby, Hinckley and Bosworth, North West Leicestershire and Rushcliffe Local Planning Authorities. The borough also falls within the administrative area of Leicestershire County Council.

The Leicester and Leicestershire Strategic Growth Plan Governance

- 3.7. Effective cooperation and formal joint working arrangements have been entered into with other Leicestershire authorities to jointly prepare and agree the Leicester and Leicestershire Strategic Growth Plan (SGP).
- 3.8. The SGP was approved in 2018 by the Leicester and Leicestershire councils and the Leicester & Leicestershire Enterprise Partnership. It provides a plan to shape the future of the Leicester and Leicestershire Housing Market Area (HMA) and Functional Economic Market Area (FEMA) in the period to 2050, and to provide a long term vision to address both opportunities and challenges to growth. The HMA and FEMA are aligned and given demonstrable cross-boundary relationships are considered the most appropriate functional geographical area within which to gather evidence and develop policies to address strategic matters.
- 3.9. The SGP is a 'non-statutory' plan but nevertheless provides a jointly agreed framework on cross boundary matters that partners can use to inform their individual statutory Local Plans. The SGP identifies broad locations where partner authorities consider development should take place and the infrastructure needed to deliver it. The SGP also commits authorities to working with local people, businesses, developers, landowners, government and statutory organisations to deliver growth and secure the infrastructure necessary to support it. The Strategic Growth Plan focuses on delivering new housing, supporting the economy, identifying essential infrastructure, and protecting the environment and built heritage.
- 3.10. The authorities listed above in paragraph 3.5, along with the Leicester and Leicestershire Enterprise Partnership (LLEP), continue to work collaboratively to address strategic issues across the wider Leicestershire area. This work is overseen by the Members' Advisory Group (MAG). The MAG comprises a councillor from each of the authorities, plus an observer from the Leicester and Leicestershire Enterprise Partnership (LLEP); it meets on a regular basis and its role is advisory. Any proposals or recommendations of the MAG pertaining to key strategic planning issues, for example the preparation of a joint framework (e.g. the Strategic Growth Plan) or the distribution of development, are subject to ratification at individual authority level.
- 3.11. The MAG is supported by a Strategic Planning Group (SPG) made up of senior officer representatives responsible for overseeing strategic planning in each of the constituent authorities; it meets on a monthly basis. The SPG is itself supported by further officer groups; including the Planning Officers'

Forum (POF), which is a formal meeting of Chief Officers (or their nominee) responsible for planning and transport services across Leicester and Leicestershire. The Forum provides professional advice to the SPG and is supported by the Development Plans Forum which includes managers responsible for planning and transportation policy within Leicester and Leicestershire. The group reports to POF, with the Chair attending POF as required.

- 3.12. Leicester and Leicestershire authorities continue to cooperate with regard to how Leicester City's unmet housing and employment needs can be addressed. Local authorities in Leicester and Leicestershire have agreed a programme of evidence and sustainability appraisal to inform a statement of common ground on the apportionment of the unmet need and this will set out the extent to which any unmet need from Leicester can be sustainably accommodated across the HMA/FEMA. The scope of the evidence commissioned is set out in section 5. The on-going engagement between the Leicester and Leicestershire authorities and the programme of work agreed to inform the apportionment of Leicester's unmet housing and employment needs is set out in a Statement of Common Ground due to be published in early June 2021.

4. Evidence of Cooperation and Outcomes

- 4.1. The preparation of the Local Plan and its underlying evidence base has been supported by on-going discussion and engagement with neighbouring authorities and prescribed bodies. The council has invited input into evidence base preparation and policy formulation from the outset and throughout the plan preparation period, with evidence shared with DtC partners as and when necessary.
- 4.2. The council has undertaken active cooperation and constructive engagement with relevant authorities and prescribed bodies for the purpose of seeking to establish aligned policy positions with respect to key strategic matters. This section sets out the specific areas of policy where strategic issues arose that required a cooperative approach during the plan preparation process.
- 4.3. The council considers the Local Plan to have been prepared in a collaborative context and in line with its duty to cooperate. The key strategic matters addressed, and outcomes achieved as a result of its cooperation with the County Council, Local Planning Authorities and the Prescribed Bodies are outlined below.

Leicestershire County Council

Highways Authority

- 4.4. The council has worked closely with Leicestershire County Council (as the highways authority for Charnwood) and also Leicester City Council and Highways England with respect to the preparation of transportation modelling and evidence to assess how and to what extent Local Plan proposals have the potential to impact the local and strategic road network. Cooperation commenced in 2018 with the high-level modelling of seven options for the strategic distribution of housing growth within Charnwood. The modelling assisted in identifying a preferred development strategy and appraised mitigation options across the borough and in adjoining local authority areas.
- 4.5. Subsequent modelling has focussed on assessing the highway impacts of the preferred hybrid option (an option derived from the better performing elements of the original seven spatial options). This has utilised the Pan Regional Transport Model (PRTM) and involved the Council sharing iterative outputs from the modelling with neighbouring authorities and Highways England so that are kept informed of any potential significant impacts upon the cross-boundary road network.
- 4.6. Charnwood has also commissioned work to identify the transport improvements needed to support the hybrid option and to assess the suitability and cost-effectiveness of various measures to mitigate its impact upon the highway network. A list of potential interventions and associated costs was shared with Leicestershire County Council, Leicester City Council and Highways England in January 2021. This list of mitigation measures was subsequently further refined in response to initial feedback to produce a

revised list shared in March 2021. The results of the modelling work have been shared at each stage with Leicestershire County Council, Leicester City Council and Highways England and the comments received have been used to inform further iterations and finalise the evidence. This evidence was used to confirm site selection and identify mitigation options and requirements by broad location.

- 4.7. The Council's cooperation with both the County and City Councils as well as Highways England has been pivotal to the development of a mitigation package that is informed by the issues arising from cumulative and cross-boundary growth across the wider Leicestershire region. There has also been input from Nottinghamshire County Council, Blaby District Council and Harborough District Council on transport matters.
- 4.8. Discussions are ongoing with stakeholders to identify and address any significant impacts from proposals on the highway network (in terms of capacity and congestion) and to ascertain how these impacts can be cost effectively mitigated to an acceptable degree.

Education Authority

- 4.9. The Borough Council has actively engaged with Leicestershire County Council (as the Education authority) throughout the plan preparation process to understand the implications of alternative patterns of growth for education provision and agree the allocations for which new education infrastructure will be sought and secured through local plan policy. This has included sharing draft and final site allocations and phasing information in order to determine the potential impact of Local Plan proposals on education infrastructure. This has been informed by the latest school place planning data and the forecasts of pupil places which the County Council prepare on an annual basis.
- 4.10. Through continued dialogue with the County Council it has been resolved that new development in certain areas will be required to make a proportionate contribution to the provision of new education infrastructure. It has been agreed that provision may be achieved on or off-site and specified the locations where new schools will be needed. As part of the ongoing partnership working between the two authorities it will be necessary to ensure that the provision of school places, either in new schools or at existing schools, will be available in time to provide for the construction and occupation of new residential development. This will be achieved by ongoing and continuous engagement between the two authorities.
- 4.11. In assessing infrastructure requirements relating to school places the Borough Council has drawn on data relating to existing capacity and shortfalls, with applied pupil yields and projections informed by local trends and other data. A number of site options were considered before identifying locations for new schools, with distance and pedestrian safety being a key consideration in determining suitability. It has been agreed with the County Council where the provision of new or expanded primary schools is required in order to meet the demand for school places that is likely to arise.

- 4.12. The council has committed to working with partners on an ongoing basis to bring forward the education infrastructure necessary to deliver the development strategy and level of growth proposed across Charnwood. Accordingly, the Local Plan identifies the allocations within which land will be provided for education uses and those for which contributions towards the construction costs will be sought. The Plan also incorporates site-specific policy wording to secure delivery and mitigate known issues and constraints. School place availability will be closely monitored with the County Council in order to ensure that provision is being delivered in a way that is commensurate with need throughout the plan period.

Waste Disposal Authority

- 4.13. The council has engaged with the County Council in its role as the Waste Disposal Authority for Charnwood; specifically in response to comments made by the County Council (at Regulation 18 stage) regarding the Newhurst Quarry energy recovery facility in Shepshed. The council has written to the County Council to explain how the Local Plan has taken into account the Mineral and Waste Safeguarding Charnwood Borough Document S2/2015 which forms part of the adopted Leicestershire Minerals and Waste Local Plan.

Lead Local Flood Authority

- 4.14. Engagement with the County Council in its role as the Lead Local Flood Authority is set out at paragraph 4.43 (under the Environment Agency).

Leicester City Council

- 4.15. The Draft Leicester Local Plan 2020 was consulted on from September 14th to December 7th 2020. Paragraph 4.12 of the Plan stated that *‘there will not be enough housing land in the city, given its tightly drawn administrative boundaries and lack of developable and viable sites. The spatial distribution of the city’s housing need that cannot be met in addition to any other unmet need arising within the Housing Market Area (HMA) will be agreed in a Statement of Common Ground’*. Furthermore paragraph 5.12 stated *‘the council will seek to achieve its housing target through joint working with neighbouring districts within the Leicestershire HMA. The remainder of the need of 7,742 homes (27%) will be met by the HMA partners under Duty to Cooperate. The unmet need declared by the City Council may be subject to change and this will be reflected in the Statement of Common Ground (SoCG) as the plan progresses’*.
- 4.16. On 16 December 2020 the government updated the standard methodology for identifying local housing needs and a 35 per cent uplift to was applied to local authorities which contain the largest proportion of the most populated cities and urban centres in England including Leicester. The new method increased Leicester’s housing need by 35%, adding a further 9,712 homes to their need between 2020 and 2036 (607 homes per year).

- 4.17. With respect to Leicester's objectively assessed needs for employment, the Draft Leicester Local Plan identifies that 44 ha of land will be provided. This falls short of the 67 ha need identified in Leicester's latest Economic Development Needs Assessment. Paragraph 11.29 of this report recommends that Leicester look to its partners in the Functional Economic Market Area (FEMA) to accommodate any need it cannot meet, i.e. approximately 23ha of its industrial/warehouse (Use Class B2/B8) needs.
- 4.18. The statement of common ground is being progressed by all Leicestershire authorities in order to assess the extent to which Leicester's housing and employment needs can be met elsewhere. Leicestershire authorities had been engaging in a process of testing reasonable alternative options for meeting a lower level of unmet need (i.e. 7,742 homes) through a Sustainability Appraisal process. Charnwood had anticipated that the apportionment of unmet need would be agreed ahead of the submission of its Local Plan however all authorities have agreed that the evidence being prepared was not proportionate or sufficiently robust enough to justify redistributing the higher level of unmet need.
- 4.19. It is now considered necessary to undertake additional work to devise an appropriate and justifiable strategy for its redistribution. Accordingly, evidence that is proportionate to this uplifted scale of need is now being prepared to identify and test reasonable alternatives for meeting it. This is to ensure that any unmet need is accommodated where it is both practical and consistent with achieving sustainable development to do so. The Council will continue to engage collaboratively and actively to establish the scale and redistribution of unmet housing and employment needs across the HMA/FEMA, and with the objective of agreeing a Statement of Common Ground with other authorities across Leicester and Leicestershire in due course.
- 4.20. The council has also worked closely with Leicester City Council regarding transport matters. We have consulted with the City throughout the process of preparing transport evidence to support the local plan. More detail is provided above in paras 4.4 – 4.8 above.
- 4.21. Charnwood has consulted with Leicester City Council regarding a number of policies in advance of finalising the publication version of the Plan (i.e. relating to the Leicester Urban Area). The Draft Leicester Local Plan proposes to allocate land west of Anstey Lane (i.e. 325 homes across two parcels). Charnwood is proposing to allocate land adjoining this (Site PSH144 – 260 units on land at Gynsill Lane and Anstey Lane, Glenfield). A site-specific statement of common ground is under preparation with regard to the land west of Anstey Lane as this extends across three local planning authority areas: Blaby, Charnwood and Leicester. The main purpose of the statement of common ground is to establish areas of agreement between the aforementioned authorities and to agree a framework for ongoing cooperation. The site is being promoted by/on behalf of the site owners through each respective authority's local plan process and will potentially be submitted to each for pre-application dialogue and planning application determination.

- 4.22. The site is situated between Glenfrith Way (A563), Anstey Lane (A5630) and Gynsill Lane (south of the A46). The site is currently primarily in use as agricultural land. The total of 45.12 hectares comprises: 7.4ha (17%) within Blaby, 20.42ha (45%) in Charnwood and 17.3ha (38%) in Leicester. Leicestershire County Council is the local highway authority and the education authority for Blaby and Charnwood, Leicester City Council is the local highway authority and the education authority for Leicester, and Highways England is the highways authority for the nearby A46. The County Council and Highways England are therefore secondary partners to the statement of common ground.
- 4.23. All parties are keen to align and coordinate this proposed allocation, particularly with respect to masterplanning and transport and education infrastructure provision. The relevant authorities have been engaging in discussions to address matters relating to the site's access points, landscape sensitivity, external linkages and internal layout. A constraints and opportunities framework has also been prepared by the site's promoters and this has informed an initial concept masterplan that has been shared with officers for feedback. The aim of the masterplan is to ensure that development is brought forward in a coordinated and comprehensive manner, rather than through piecemeal proposals.
- 4.24. Discussions have also taken place between the aforementioned authorities regarding whether, and to what extent, development can be brought forward in a form that is compatible with the site's current 'Green Wedge' designation and function. The Green Wedge at this location acts as a 'green lung', providing an area for recreation, and the protection of settlement identity between the Leicester urban area and the surrounding communities. The authorities agree that development will need to retain elements of open and undeveloped character and be sensitively interwoven between a network of publicly accessible green infrastructure corridors and recreational open spaces. The promoters have also undertaken some initial transport modelling to test the potential impact of the site's development upon the surrounding highway network.
- 4.25. Information has also been exchanged with regard to other allocations Charnwood is proposing in close proximity to the Leicester City boundary (i.e. on land off Cliffe Road/Henson Close - 35 units). Charnwood will continue to engage in relation to the aforementioned matters, the Strategic Growth Plan, and with respect to any objectively assessed needs that cannot be met wholly within Leicester.

Harborough District Council

- 4.26. The adopted Harborough Local Plan allocates land to the north of Scruptoft as a Strategic Development Area (SDA). This allocation is adjacent to the Charnwood boundary and will provide approximately 1,200 dwellings, a two-form entry primary school, and a neighbourhood centre (i.e. community and retail facilities). Charnwood will continue to engage in relation to this and other

matters, the Strategic Growth Plan, and with respect to any objectively assessed needs that cannot be met wholly within Leicester.

Nottinghamshire County Council

- 4.27. Charnwood Borough Council has responded to a series of duty to cooperate questions to inform an Employment Land Needs Study being prepared on behalf of the eight local authorities that make up the Nottingham Core-Outer HMA. In responding to this the council has confirmed that a sufficient supply of employment land is available to meet Charnwood's identified needs.
- 4.28. Nottinghamshire County Council as the neighbouring highway authority to the north of Charnwood has also been involved in discussions regarding the transport modelling and regularly consulted as the work has progressed.

Blaby District Council

- 4.29. Duty to cooperate meetings have been held with Blaby District Council to identify and discuss the bilateral strategic matters that will have a significant impact on both Blaby and Charnwood. Information has been exchanged with regard to the allocations Charnwood is proposing in proximity to the Blaby boundary (i.e. West of Anstey- 600 units; Land at Gynsill Lane and Anstey Lane – 260 units and Park View Nursery - 30 units). Engagement between Charnwood Borough Council, Leicester City Council and Blaby District Council on this site are set out above in para 4.23-4.25. Charnwood has also consulted with Blaby regarding a number of draft policies prior to finalising the Pre-Submission version of the Plan (i.e. relating to the Leicester Urban Area).
- 4.30. The Blaby New Local Plan Options Consultation identifies land adjoining Charnwood Site PSH144 as a reasonable option for allocation that requires further assessment (Blaby Site GLE030). Blaby's Strategic Housing Economic Land Availability Assessment indicates a capacity of 185 dwellings (for Site GLE030 specifically) and an overall capacity of circa 900 units for the 45.12 ha site situated between Glenfrith Way (A563), Anstey Lane (A5630) and Gynsill Lane (south of the A46). This capacity figure takes into account the proposals within both Charnwood and Leicester. A separate site-specific statement of common ground is under preparation with regard to this proposed allocation (this is outlined from paragraph 4.23-4.25 above).
- 4.31. Charnwood will continue to engage in relation to these matters, the Strategic Growth Plan, and with respect to any objectively assessed needs that cannot be met wholly within Leicester.

Hinckley and Bosworth Borough Council

- 4.32. Duty to cooperate meetings have been held with Hinckley and Bosworth Borough Council to identify and discuss the bilateral strategic matters that will have a significant impact on both Hinckley and Bosworth and Charnwood. Information has been exchanged with regard to the allocations Charnwood is proposing in close proximity to the Hinckley and Bosworth boundary (i.e. West

of Anstey 600 units, Land at Gynsill Lane and Anstey Lane - 260 units and Park View Nursery - 30 units). Wider cross-boundary infrastructure needs and planned provision has also been discussed in light of the cumulative impact of future development in the Anstey area; particularly with regard to education highway improvements. Moreover, the issue of whether and to what extent existing Green Wedge functions will be impacted has also been debated, including how development should retain and enhance existing green networks and elements of open and undeveloped character.

- 4.33. Charnwood Borough Council has also consulted with Hinckley and Bosworth regarding a number of draft policies prior to finalising the publication version of the Plan (i.e. relating to the Leicester Urban Area and Charnwood Forest). The council has also liaised with Hinckley and Bosworth in relation to how Markfield is referenced within the Charnwood Local Plan, specifically in terms of its classification relative to the Charnwood settlement hierarchy.
- 4.34. Charnwood will continue to engage in relation to these matters, the Strategic Growth Plan, and with respect to any objectively assessed needs that cannot be met wholly within Leicester.

North West Leicestershire District Council

- 4.35. Duty to cooperate meetings have been held with North West Leicestershire District Council to identify and discuss the bilateral strategic matters that will have a significant impact on both North West Leicestershire and Charnwood. Information has been exchanged with regard to the allocations Charnwood is proposing in close proximity to the North West Leicestershire boundary (around Shepshed) and the infrastructure provision planned for this area; particularly with regard to education. Charnwood has also consulted with North West Leicestershire regarding a number of draft policies prior to finalising the Pre-Submission version of the Plan (i.e. those relating to Shepshed and Charnwood Forest).
- 4.36. Charnwood has also had detailed discussion with North West Leicestershire to finalise a vision, delivery timeframe and schematic map for the Leicestershire International Gateway.
- 4.37. Charnwood will continue to engage in relation to these matters, the Strategic Growth Plan (as outlined from paragraph 4.7 of this statement), and with respect to any objectively assessed needs that cannot be met wholly within Leicester.

Melton Borough Council

- 4.38. A duty to cooperate meeting was held on April 4th 2020 between Charnwood and Melton Borough Councils; no bilateral matters were identified that would have a significant impact on the two local planning authority areas. The councils will however continue to engage in relation to the Strategic Growth Plan, and with respect to any objectively assessed needs that cannot be met wholly within Leicester.

Rushcliffe Borough Council

- 4.39. The Local Plan is not proposing any development that would have a significant impact on Rushcliffe as a planning area and there are no allocations or infrastructure proposals in proximity to the Rushcliffe boundary. Given the relatively rural nature of south Rushcliffe and its limited level of overlap and interaction with Charnwood it is considered to fall outside the Leicestershire Functional Economic and Housing Market Areas and fall within the Nottingham Core-Outer Housing Market Area with Ashfield, Broxtowe, Erewash, Gedling, Mansfield, Nottingham and Newark & Sherwood.

Leicester Local Nature Partnership

- 4.40. The Local Plan responds to LLNP's strategy for the protection, management and enhancement of the natural environment. In advance of submission the council will seek to agree with the LLNP that the Local Plan contains sound policies to protect and enhance the natural environment, avoid habitat loss and fragmentation, and improve the ecological connectivity between habitats.

Environment Agency

- 4.41. The Environment Agency has been a key partner in the preparation of the Borough Council's Strategic Flood Risk Assessment (SFRA). The Assessment has informed the development of strategic Local Plan flood risk policies and has ensured that the council has an agreed approach to inform the sequential and exception testing of site allocations. More specifically the study has informed the formulation of site-specific flood risk avoidance, management and mitigation measures for allocations which may be in Flood Zones 2 or 3 or may be affected by surface water flooding.
- 4.42. As part of the SFRA's preparation the council has also been working closely with both Leicestershire County Council (as the Lead Local Flood Authority) who were engaged in key project meetings at key stages of the project. The LLFA provided data on surface water flood risk and confirmation of recent flood events.
- 4.43. There was productive engagement between the Council and the Environment Agency in relation to their commissioning of a new hydraulic model for the Wood Brook. The Environment Agency model accounts for how Wood Brook is culverted in Loughborough town centre and updates level and flow data for positions (i.e. nodes) along the watercourse to inform the extent/depth of associated flood zones (and climate change allowances). Cooperating with the Environment Agency and the LLFA has enabled the council to have a detailed understanding of the nature and severity of the flood risk posed by Wood Brook, formulate effective policies to mitigate and manage flood risk across the borough, and address any site-specific, cumulative or cross boundary flood risk issues.

4.44. Charnwood Borough Council will make best endeavours to agree the following with the Environment Agency and Leicestershire County Council through a statement of common ground in advance of submitting the plan for examination:

- the findings of the Level 2 Strategic Flood Risk Assessment and that it meets the EA's and LLFA's requirements;
- topic based policy wording (i.e. Policies CC1 and CC2) as well as any place-specific policy requirements for allocations in the higher risk catchments;
- site-specific policy requirements for allocations in Flood Zones 2/3 and/or affected by other forms of flooding;
- the sites from which contributions towards EA projects might be sought (e.g. to help fund interventions along Sileby Brook, Barkby Brook, Black Brook and Wood Brook). N.B. The Wood Brook Flood Risk Management Scheme is identified as a thematic project within the Loughborough Town Investment Plan; and
- that the site allocations in the Local Plan pass the sequential test and where applicable are likely to pass the second part of the exception test.

Historic England

4.45. The council has worked with Historic England to inform the approach it has taken to assessing impacts upon the historic environment. As part of this the council has shared and revised draft Local Plan policies in response to Historic England's comments, and also shared the site selection methodology and the individual heritage appraisals that have been undertaken for the allocations proposed within the Plan. The methodology for these appraisals has been presented to Historic England together with a selection of sample assessments. Engagement is ongoing regarding this information and the matters raised within Historic England's representation to the draft Local Plan (at Regulation 18 stage). The council is aiming to agree that the process undertaken to arrive at the proposed allocations is one which Historic England can endorse, and that the policy responses proposed for allocations with the potential to harm the historic environment are sound.

4.46. The Council's discussions with Historic England are ongoing with the aim of agreeing a statement of common ground covering the following matters:

- that the site-specific heritage impact summaries have identified the designated heritage assets likely to be affected by development and correctly evaluated the contribution each allocation makes to the significance of any designated heritage assets;
- that the work undertaken to assess heritage impacts has been proportionate to the importance of any relevant designated heritage assets, and is sufficient to understand the potential impact that allocated development may have upon significance;
- that the public benefit of providing a supply of housing outweighs any residual harm to the significance of relevant designated heritage assets (on a site-by-site basis);

- that the Local Plan is not proposing to allocate any land for development that would likely cause substantial harm to a designated heritage asset;
- site-specific policy requirements/wording to mitigate identified heritage impacts (i.e. agree that any measures proposed will effectively reduce/remove harm); and
- the wording of Policies ENV8, LUA3 and CC3 (including the geographical extent of the suitable wind/solar energy locations delineated on the policies map).

Highways England

- 4.47. There has been considerable joint working between the Council and Highways England throughout the local plan preparation process. Highways England have input into the various iterations of the Local Plan, both at previous consultation stages and through interim meetings as outlined in para 4.4 - 4.8 above. This has resulted in specific policies relating to the strategic road network being included within the Local Plan.
- 4.48. The council is continuing to cooperate with Highways England, supported by Leicestershire County Council, to prioritise the schemes already proposed within the Leicestershire region and identify additional mitigation schemes to be included in future Road Investment Strategies.
- 4.49. Charnwood Borough Council will make best endeavours to agree the following with Highways England, Leicester City Council and Leicestershire County Council through a statement of common ground:
- that the impact of Local Plan growth (on the operation of the SRN) has been appropriately assessed and identified;
 - that any necessary mitigation measures (i.e. SRN capacity enhancements) have been identified, including their potential funding arrangements; and
 - that Policies INF1 and INF2 will enable the Council to secure contributions towards necessary mitigation measures where necessary.

Clinical Commissioning Groups

- 4.50. In addressing the health needs of Charnwood the Council has liaised with the Clinical Commissioning Groups that serve the borough, namely the West Leicestershire Clinical Commissioning Group and the East Leicestershire and Rutland Clinical Commissioning Group. This has included sharing draft and final site allocations and phasing information in order to determine the potential impact of Local Plan proposals on healthcare infrastructure.
- 4.51. The East Leicestershire and Rutland CCG covers only a relatively small part of Charnwood (including Syston). The area covered by West Leicestershire CCG covers the majority of the borough. Consultation with both CCGs has been enhanced due to organisational changes within the CCG which has improved joint working amongst all CCGs in Leicester and Leicestershire. The CCGs support GP Practices and GP Federations to engage in the local plan

process. This has included seeking their views on how growth can be sustainably accommodated. Understanding the levels of growth and its impact upon GP Practices will help the CCG to consider its response to future health service planning and has informed their work on a comprehensive Estates Strategy which will set out future priorities.

- 4.52. In advance of submitting the Plan for examination the council will seek written confirmation from both the West and East Leicestershire CCGs that they are content with the local plan's policies and proposals, and that the approach will assist them in developing their future investment strategies.
- 4.53. This will seek to confirm an understanding of current capacity of existing practices and where improvements, extensions and where appropriate, new facilities may be required. The Clinical Commissioning Group's own Estates Strategy will help inform future priorities as will approaches to delivery of healthcare.
- 4.54. Charnwood Borough Council will make best endeavours to agree the following with the West and East Leicestershire CCGs through a statement of common ground:
- current GP capacity and projected future demand (at a locational level);
 - where enhancements to existing GP facilities are required and what form enhancements to existing provision should take;
 - where new GP provision is required, identifying location, size and type of facility);
 - which allocations will be expected to contribute towards the cost of additional provision including on site provision if appropriate; and
 - that Policies INF1 will enable the Council to secure contributions towards necessary infrastructure where necessary.

5. Shared Evidence Base

- 5.1. The council has undertaken active cooperation with neighbouring authorities and prescribed bodies for the purpose of preparing joint evidence to address key strategic matters. This has involved partners sharing and inputting into joint evidence base preparation in order to inform policy formulation and site allocation proposals with cross-boundary implications. The shared evidence base documents set out below have been prepared in a collaborative context and in compliance with the duty to cooperate.

Housing and Economic Development Needs Assessment (2017)

- 5.2. The Leicester and Leicestershire local authorities and the Local Enterprise Partnership (LEEP) commissioned a Housing and Economic Development Needs Assessment (HEDNA) to assess future housing needs, the scale of future economic growth, and the quantity of land and floorspace required for B-class economic development uses up to 2036 (N.B. the evidence in relation to future housing needs has since been updated by the Charnwood Housing Needs Assessment).
- 5.3. The HEDNA looked at a wealth of evidence, including population, household and economic growth projections to assess the need for housing and employment land over the next 20 years. The HEDNA provides an evidence base to inform the preparation of local plans and informed the non-statutory Strategic Growth Plan for Leicester and Leicestershire which all the Leicestershire authorities were involved in. The assessment can be accessed here: https://www.charnwood.gov.uk/pages/hedna_2017

Leicester and Leicestershire SHELAA Joint Methodology (2019)

- 5.4. The 2020 Strategic Housing and Employment Land Availability Assessment is the current SHELAA for Charnwood and follows the Leicester and Leicestershire SHELAA Joint Methodology agreed by all the local planning authorities who form the Leicester and Leicestershire Housing Market Area. The methodology can be accessed here: https://www.charnwood.gov.uk/files/documents/leicester_and_leicestershire_s_helaa_joint_methodology/Appendix%20B%20-%20SHELAA%20Joint%20Methodology%20Paper%20-%20Consultation%20Paper.pdf

Gypsy, Traveller and Travelling Show People Accommodation Assessment (2017)

- 5.5. The Leicester City and Leicestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment was jointly commissioned by Leicestershire authorities to update the previous 2013 study and respond to the publication of the revised version of Planning Policy for Traveller Sites in August 2015.

- 5.6. It provides an assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in all the local authority areas in Leicester and Leicestershire with the exception of Hinckley and Bosworth; where a separate study was commissioned due to Local Plan deadlines using the same methodology. Since the Assessment was published there has been ongoing engagement between local authorities to assess options for bringing forward sites in particular transit sites. The assessment can be accessed here: https://www.charnwood.gov.uk/files/documents/gypsy_and_traveller_needs_assessment_2017/2017%2006%2001%20Leicestershire%20GTAA%20Final%20Report.pdf

Warehousing and Logistics in Leicester and Leicestershire: Planning and Managing Change/Growth Study (2021)

- 5.7. The strategic storage and distribution sector (Use Class B8) is a major component of the Leicestershire economy given the county's centralised location and excellent transport links. The logistics industry plays a critical role in enabling the efficient, sustainable and effective supply of goods for consumers and businesses and contributes significantly to local employment opportunities. It also has distinct locational requirements that need to be considered when formulating planning policies. The functional economic market area (FEMA) encompasses all the authorities within Leicestershire and for this reason the Leicestershire authorities have collaborated to study the strategic storage and distribution sector in order to assess future need and demand. This has involved the preparation of evidence to understand existing business needs, local circumstances and market conditions. This work is being coordinated by Harborough District Council and overseen by the SPG and the MAG (see paragraphs 3.10 & 3.11). The Local Enterprise Partnership and county council have also played a key role in the commissioning and funding of this work alongside the other Leicestershire authorities.
- 5.8. The study has reached draft stage and is currently being reviewed and commented upon by the various partner authorities. The study is intended to inform plan-making and other relevant strategies (e.g. the Strategic Growth Plan and the emerging Local Industrial Strategy) and will enable Leicestershire authorities to plan effectively for future land needs and associated freight infrastructure. The study will underpin the development of a sound strategic approach to the sector across Leicestershire, and represents a collaborative effort by all authorities to determine how and to what extent needs may grow and change in the longer term, so that provision can be sustainably planned for and any barriers to growth overcome.

Leicester and Leicestershire Housing and Employment Needs Assessment (2021)

- 5.9. The assessment has been jointly commissioned by the Leicester and Leicestershire authorities and the Leicester and Leicestershire Enterprise Partnership to provide evidence which identifies the quantity and mix of employment land and size, type and mix of housing required to meet the

area's needs and which can be used to inform the development of Local Plans and Strategic level plans. The assessment would replace the 2017 HEDNA.

5.10. The key objectives of the assessment are to:

- assess whether the Housing Market Area and Functional Economic Market Area are still fit for purpose;
- provide an assessment of the future economic needs of Leicester and Leicestershire and the requirement for employment land and premises to 2050 and an overview of Leicester and Leicestershire's future employment role in different sectors in light of existing and predicted market strengths and changing economic landscape;
- provide up to date housing mix, type and affordability evidence that identifies the optimum mix, affordable housing requirements and the need for specialist accommodation set in the context of overall housing requirements; and
- inform an understanding of the links between future housing need and future employment needs (including mix and type).

5.11. The assessment is due to be completed by the end of 2021.

Strategic Growth Options and Constraints Mapping in Leicester and Leicestershire Study (2021)

5.12. The study has been jointly commissioned by the Leicester and Leicestershire authorities and the Leicester and Leicestershire Enterprise Partnership to assess the merits of a range of Strategic Growth Options in order to identify which of the options individually and / or collectively are suitable options to deliver strategic growth up to 2050.

5.13. The key objectives of the study are to:

- identify and assess a series of growth options across Leicester and Leicestershire, including assessing both individual options and any advantages resulting from delivering combinations of strategic growth options along corridors or in growth hubs;
- assess and plot environmental constraints (Built, Historic & Natural Environment) and to assess their implications for delivering Strategic Growth Options.
- to inform the evidence base for future Local Plans and Strategic Plans over longer timeframes up to 2050; and
- assess the potential interrelationships between Strategic Growth Options in delivering wider benefits (including infrastructure provision) and meeting the objectives of the Strategic Growth Plan.

5.14. The study is due to be completed by the end of 2021.

Leicester and Leicestershire Strategic Transport Assessment (2021)

- 5.15. The study has been jointly commissioned by the Leicester and Leicestershire authorities to develop new Pan Regional Transport Model (PRTM) growth scenarios for the period 2036-2050 to inform the process of apportioning Leicester's unmet need and provide an enhanced basis for assessing future Local Plans and long-term transport interventions.

6. Conclusion

- 6.1. The Council considers that it has put in place robust mechanisms to facilitate engagement between itself and neighbouring local planning authorities during the preparation of the Local Plan. Where specific areas of Local Plan policy required cross-boundary cooperation this has been reflected within the policies and the approach of the Local Plan itself. Furthermore, where there is an element of reliance on future revisions to existing, or the preparation of new Local Plans by adjoining local planning authorities, specific mechanisms have been put in place to ensure that these matters can be addressed at that time. The Council is therefore satisfied that it has met the requirements of the Duty to Cooperate in accordance with the provisions of the Localism Act and the National Planning Policy Framework.

- 6.2. The Council will continue to meet its duty to cooperate up to and beyond the submission of the plan to the Secretary of State, including preparing and entering into any necessary standalone statements of common ground or memorandums of understanding in advance of hearings. The Leicester and Leicestershire joint working arrangements will continue to provide a strong basis for ongoing collaboration and facilitate further duty to cooperate activity.