

HARBOROUGH DISTRICT COUNCIL

REPORT TO THE CABINET MEETING OF 5 July 2021

PUBLIC REPORT: Y / ~~N~~EXEMPT REPORT: ~~Y~~ / N

Report Title	Local Plan Review and Update
KEY DECISION	Y
Report Author	Tess Nelson, Strategic and Local Planning Manager
Purpose of Report	To advise Cabinet of the outcome of the internal, officer review of the adopted Harborough Local Plan (2011-2031) and to recommend that a new Local Plan is prepared as a full update to the adopted Harborough Local Plan (2011-2031).
Reason for Decision	The internal, officer review of the Local Plan demonstrates that the Local Plan remains up to date and continues to deliver sustainable development for Harborough District. However, the review identifies that a recent significant increase in Leicester's housing need combined with the requirement to meet resultant unmet need within Leicester and Leicestershire through the Duty to Cooperate is likely to result in the need to update the Harborough Local Plan. Given the time taken to prepare a local plan, it is recommended that the preparation of the new Local Plan is begun to ensure local planning policies remain up-to-date and able to direct development to sustainable locations and to protect the environment of the District. Beginning to prepare a new local plan has no effect on the existing adopted Local Plan (2011 - 2031) which remains up to date and continues to deliver sustainable development for the Harborough District.
Portfolio (holder)	Cllr Bateman – Portfolio Holder for Planning & Infrastructure
Corporate Priorities	HDC's ' Corporate Plan 2019-2021 ' and the related 'Corporate Delivery Plan 2019-2021' set out the Council's aspirations for the district over the next three years, what its priorities are and how it will deliver them. This contributes to two priorities: The place: An enterprising and vibrant place. CO1, CO4. The people: A healthy, inclusive and vibrant community. CO5, CO6.
Financial Implications	A Local Plan budget was approved in February 2021 and is now within the base budget. This covers the currently known costs associated with preparing a new Local Plan.

Risk Management Implications	The risk of not preparing a new Local Plan would be the eventual loss of control over development within the District as the adopted Local Plan became out-of-date and no longer able to direct development in accordance with its policies. This could result in inappropriate development in unsustainable locations and potential negative impact on the District's environment, thus undermining the quality of life for current and future residents within the District.
Environmental Implications	Appropriate environmental assessments will inform the preparation of the new Local Plan to ensure it contributes to achieving sustainable development.
Legal Implications	Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires local planning authorities to review local plans every five years, starting from the adoption date. Preparation of the new Local Plan will be in accordance with relevant legislation, currently principally the Planning and Compulsory Purchase Act 2004 and associated regulations (Town and Country Planning (Local Planning) (England) Regulations 2012).
Equality Implications	An Equality Impact Assessment will be undertaken in conjunction with and to inform the preparation of the new Local Plan.
Data Protection Implications	A Data Protection Impact Assessment will be undertaken in conjunction with and to inform the preparation of the new Local Plan.
Consultation	Public consultation will be undertaken to inform the preparation of the new Local Plan in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement (2020).
Options	<p><u>Option 1: Beginning the preparation of a new Local Plan as a full update to the adopted Harborough Local plan (2011-2031) – this is recommended given the time taken to prepare a local plan, to ensure the Local Plan remains up-to-date and able to direct development to ensure it is appropriate and in sustainable locations and to protect the environment of the District.</u></p> <p><u>Option 2: Not beginning the preparation of a new Local Plan - this is not recommended because of the time taken to prepare a new Local Plan. Not beginning the preparation of a new Local Plan would risk the adopted Local Plan becoming increasingly out-of-date and therefore less able to direct development and protect the environment of the District, which could ultimately lead to unsuitable development in unsustainable locations without the necessary infrastructure to support it and potential damage to the District's environment and quality of life valued by its residents.</u></p>

	<u>Option 3: Beginning a partial update of the adopted Harborough Local Plan (2011-2031)</u> – this is not recommended because the update of the Local Plan may involve a material change to the housing requirement and / or spatial distribution of growth set out in the adopted Local Plan, both of which are strategic policies and have implications for other plan requirements, policies and evidence base, thus requiring a full update of Local Plan policies.
Background Papers	N/A
Recommendation	That a new Local Plan is prepared as a full update to the adopted Harborough Local Plan (2011-2031).

1.0 Introduction

- 1.1 The National Planning Policy Framework (NPPF) explains that the planning system should be genuinely plan-led.
- 1.2 As such, the NPPF requires every local planning authority to have a succinct up to date local plan, which will help to deliver sustainable development, conform to the NPPF, meet development needs and reflect local aspirations.
- 1.3 To this end, the Harborough Local Plan (2011-2031) was prepared and subsequently adopted in April 2019. It replaced the previous Harborough District Core Strategy (2006-2028) adopted in 2011 and saved policies from the Harborough District Local Plan adopted in 2001. Regular reviews and updates of local plans are essential to ensure policies remain up to date.
- 1.4 The Local Plan review process is a method to ensure that a plan and its policies remain effective.
- 1.5 The National Planning Policy Framework (NPPF) makes it clear that local plans should be reviewed to see whether they need updating at least once every five years (starting from the adoption date) and should then be updated as necessary. This is a legal requirement and is set out in Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012). Planning Practice Guidance states that most plans are likely to require updating in whole or in part at least every 5 years and that reviews should be proportionate to the issues in hand.
- 1.6 Planning Practice Guidance sets out several factors that local authorities should consider when determining whether a plan or policies within a local plan should be updated. These include:
- conformity with national planning policy;
 - changes to local circumstances; such as a change in Local Housing Need;
 - their Housing Delivery Test performance;

- whether the authority can demonstrate a 5 year supply of deliverable sites for housing;
- whether issues have arisen that may impact on the deliverability of key site allocations;
- their appeals performance;
- success of policies against indicators in the Development Plan as set out in their Authority Monitoring Report;
- the impact of changes to higher tier plans;
- plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need;
- significant economic changes that may impact on viability; and
- whether any new social, environmental or economic priorities may have arisen.

1.7 Alongside this general requirement for update, Local Plan Policy IMR1: *Monitoring and review of the Local Plan* specifies certain circumstances which will initiate an early update (full or partial) of the Harborough Local Plan and the timescales for such an update.

1.8 In accordance with the Localism Act 2011 and the National Planning Policy Framework (NPPF), local authorities have a duty to collaborate to address strategic planning matters. The Duty to Cooperate is the mechanism for ensuring that this happens. The Duty requires ongoing constructive engagement on the preparation of development plan documents and other activities in relation to the sustainable development and use of land.

2.0 Key Facts

2.1 A internal review of the adopted Harborough Local Plan (2011-2031) has been undertaken by officers in line with the NPPF requirement. The review considered the key issues set out in the Planning Practice Guidance, together with a consideration of the specific local requirements of the Local Plan Policy IMR1. The review has been undertaken using the PAS Local Plan Route Mapper toolkit Part 1: Local Plan Assessment (Appendix A). The review considers each of the key issues set out in Planning Practice Guidance and provides relevant evidence and analysis to inform the final conclusion and recommendation.

Summary of Key Local Plan Review outcomes

2.2 The review of the Local Plan concludes that the Local Plan remains up to date and continues to deliver sustainable development for Harborough District.

2.3 The review confirms that Local Plan policies continue to broadly reflect the requirements of the latest NPPF. Some minor amendments to policy wording

may be required, but the policies continue to support sustainable development across the District.

Housing and Employment Delivery

- 2.4 The review demonstrates continued strong housing delivery within the District, resulting in 7.74 years' of housing supply (as at 31 March 2020) and a Housing Delivery Test score of 156%. The housing requirement of 557 dwellings per annum as set out in the Local Plan remains deliverable, with the last three years' figures showing delivery rates in excess of the requirement. No significant slow-down in housing delivery or loss of confidence in the market resulting from the lock-downs has so far been detected, although this will continue to be assessed. Strategic allocations are progressing through the planning process and are expected to begin delivering dwellings within the next three years. Affordable housing is also delivering well and to target for the last three years.
- 2.5 Given the current rate of housing delivery and strategic allocations coming forward and expected to deliver as forecast, meeting housing delivery targets in line with the current Local Plan is not expected to be a significant issue.
- 2.6 Similarly, employment sites allocated in the Local Plan are all progressing well, with all sites having been consented or pending consideration.

Delivery of all policies

- 2.7 The review demonstrates that Local Plan policies continue to deliver their objectives and are achievable and effective in the determination of planning applications.

Broader social, economic and environmental factors

- 2.8 The review considers recent social, economic and environmental factors and their potential impact on delivery of the Local Plan. The Covid-19 pandemic is likely to result in significant implications, particularly in relation to retail uses and how our town and village centres will be used going forwards. However, to date there has been no loss or relocation of key employers, no unforeseen major employment proposals or planning approvals that could challenge the delivery of the Local Plan in relation to business and employment. Longer term implications will be considered through the next Local Plan. No significant changes to local environmental conditions or priorities have been identified. However, implications arising from emerging changes to Government policy and statute, including the Environment Bill, will continue to be monitored to inform future policy.

Leicester's unmet housing need

- 2.9 In addition to considering the local delivery of the policies and targets set out in the Harborough Local Plan, the review also considers strategic cross-

boundary planning issues and changes to other authorities' planning context which will impact upon the future planning context of the District.

- 2.10 Leicester City Council have previously declared an unmet need for housing; that is their housing need exceeds the capacity of sites within the constraints of the City boundary. Leicester's draft Local Plan (September) 2020 demonstrated a potential unmet need of 7,742 homes and 23 hectares employment land from 2019 to 2036, based on a housing need at the time of just over 1,700 dwellings per annum. Work is progressing across the Leicester and Leicestershire partnership to apportion this unmet need within Leicester and Leicestershire in accordance with the Duty to Cooperate.
- 2.11 In December 2020 the Government published a new standard method for calculating housing need. The new method increased Leicester's housing need by 35% from 1,734 dwellings to 2,341 dwellings per annum. This significant increase added a further 9,712 homes to their total housing need between 2020 and 2036 (607 homes per year). The effect of this 35% increase in Leicester's housing need on the scale of unmet need is not yet known as further work is currently being undertaken to examine total housing land capacity within the City.
- 2.12 Although the supply of homes in Leicester may evolve as their Local Plan progresses, providing for this number of additional homes would require more than a doubling of the allocations set out in the recent draft City Local Plan. As such, further work is required to identify how the increased unmet need arising from these additional homes will be met. This work will inform the apportionment of Leicester's unmet housing need across the Leicester and Leicestershire authorities in accordance with the NPPF. This apportionment will be set out in a Statement of Common Ground (SoCG) between the authorities, expected in Winter 21/22.
- 2.13 Although the current Local Plan remains up to date and is successfully delivering to target (based on the current housing requirement of 557 dwellings per annum), there is limited capacity within the planned housing land supply to deliver above that level. As such, the review identifies that should the SoCG propose a quantity of housing significantly greater than the housing requirement identified in the Local Plan, then an update to the Local Plan would be needed in order to accommodate this additional requirement. The recommendation is to begin the update of the Local Plan to ensure that Local Plan preparation is underway to respond to the emerging distribution of Leicester's unmet need.

Review of local triggers set out in Local Plan Policy IMR1

- 2.14 Local Plan Policy IMR1 sets out specific local triggers which would require a full or partial update of the Local Plan. Based on current information, the Assessment indicates that criteria requiring a full or partial update of the Local Plan have not been triggered. However, the SoCG apportioning unmet need is on the horizon and evidence is currently being prepared to inform the process. This SoCG, expected towards the end of the year or early 2022, could

apportion additional housing to the District on a scale which the current spatial strategy may struggle to accommodate. As such, a new Local Plan will be required to identify appropriate locations for growth and ensure necessary infrastructure is provided to support such growth in a planned and sustainable manner.

3.0 Conclusion and Next Steps

- 3.1 Given the time taken to prepare a local plan, it is recommended that the preparation of the new Local Plan is begun to ensure local planning policies remain up-to-date and able to direct development to sustainable locations and to protect the environment of the District. Beginning to prepare a new local plan has no effect on the existing adopted Local Plan (2011- 2031) which remains up to date and continues to deliver sustainable development for the Harborough District.
- 3.2 A Local Development Scheme setting out the timetable for the preparation of the new Local Plan will be presented to a future meeting of Cabinet.