

**REPORT TO THE MEETING OF THE COMMUNITIES SCRUTINY PANEL
ON 26 SEPTEMBER 2019**

Status: For Comment
Title: Harborough Local Plan 2011-2031 Preparation Completion
Originator: Tess Nelson, Strategic and Local Planning Manager
Where from: Scrutiny work plan
Where to next:

Objective: For Communities Scrutiny Panel to consider the successes and lessons learnt from the preparation of the Local Plan.

1. Outcome sought from the Panel

1.1 To note the contents of this report, and provide observations and comments on the successes and lessons learnt from the preparation of the Local Plan to inform other Council projects and the process of any future review of the Local Plan.

2. Background

2.1 At their meeting of 30 April 2019, Council approved the adoption of the Harborough Local Plan 2011-2031. This was the culmination of a significant programme of work to prepare the Local Plan, which began in 2012.

2.2 Preparation of a local plan is a statutory function and provides the Council with an up-to-date set of development plan policies. Together with made Neighbourhood Plans, the Harborough Local Plan 2011-2031 forms the development plan for the District and is now the starting point for the determination of planning decisions in the District. Preparation of the Local Plan began in 2012 and was successfully completed in April 2019, with the adoption of the Local Plan.

2.3 The Local Plan sets out the vision, objectives, spatial strategy and planning policies for the whole District, for the period up to 2031. The Local Plan replaces the previous Core Strategy 2006-2028 and saved policies of the old Local Plan 2001.

2.4 Preparation of the Local Plan was a major programme of the Council and comprised a series of projects, including:

- Four rounds of public consultation (in 2013, 2015, 2017 and 2019);
- Procurement and management of a number of external consultancy projects;
- Partnership working with other Leicester and Leicestershire authorities and beyond;
- An independent Examination by a Planning Inspector over the course of 13 months;
- Liaison with promoters of Strategic Development Areas over a number of years; and
- Considerable public and political interest, public relations and communications.

2.5 Preparation of the Local Plan involved a number of key stages, governed by regulations and guidance, as follows:

- Scoping - 2013
- Evidence gathering – 2013 - 2018
- Options - 2015
- Draft Local Plan - 2017
- Submission - 2018
- Examination – 2018 - 2019
- Adoption - 2019

3. Key Facts

Expected benefits

- 3.1 Following adoption, the Local Plan is now being delivered through the determination of planning applications and appeals. It is expected to provide for a rolling 5 year housing land supply throughout the lifetime of the Local Plan. As such, the Local Plan is the starting point for the consideration of housing proposals, rather than the presumption in favour of sustainable development, set out in the NPPF; thereby enabling greater control for the Council say, for example, over where new houses are built.
- 3.2 The Local Plan also provides greater certainty for Neighbourhood Planning, setting out the strategic policies (including level of growth anticipated), which Neighbourhood Plans can then elaborate on and provide further detailed local policies.
- 3.3 The Local Plan also provides greater certainty for residents and investors as well as developers, landowners and infrastructure providers and partners about the location and type of development expected, an indication of when it will come forward and what infrastructure will be required to support it.

Project Close-down

- 3.4 The Local Plan project is now, therefore complete and the project is being closed down. Part of the project close-down involves ensuring that the

successes and areas to learn from over the course of the project are captured and clearly understood, and used to inform other projects and any future review of the Local Plan. The successes and lessons learnt focus upon the process of preparing the Local Plan, rather than its content.

Key successes and lessons learnt

Timescales

- 3.5 Early expectations for the review of the Core Strategy to be completed within 18 months proved to be overly optimistic, once the full scope of the review was clarified. The scope of the project expanded further due to changes in government policy. The National Planning Policy Framework required more evidence (especially on housing and employment needs and their interconnection) than had previously been required. The newly introduced Duty to Cooperate required more collaborative working (especially with Leicester and Leicestershire authorities and also other authorities close to the District) than was previously expected. This resulted in the need to amend project timetables.
- 3.6 A Local Development Scheme (LDS) setting out the overall project timetable was published in 2013 and subsequently revised to reflect necessary amendments in the preparation timetable. Following a review of project management techniques in 2016 and a thorough assessment of outstanding evidence, the overall project timetable and LDS was further revised before being finalised in 2017.
- 3.7 The introduction of improved project management techniques in 2016 was crucial to the future management and overall success of the project. In particular, this led to a clearer understanding of the scale of the project and the need for a dedicated project management resource. Procurement of a project manager and a specialised project management tool enabled the identification of inter-dependencies between projects and led to a more detailed and comprehensive timetable, together with detailed costed budget and the recognition of the need to increase staffing capacity in order to complete the project.
- 3.8 *Suggested future action* – detailed project management tools and techniques should be used comprehensively and consistently throughout the project in order to identify key interdependencies and project milestones. A detailed project plan is needed from the outset to inform the Local Development Scheme. This will need to include a time contingency to allow for changing circumstances / requirements and unanticipated circumstances arising during the course of the project. Consider use of a critical friend to check the project plan and programme to ensure it is robust and comprehensive.

Costs

- 3.9 Initial cost estimates for the preparation of the Local Plan proved to be overly optimistic, resulting in the need to draw down additional funds on a number of

occasions. This partly resulted from insufficiently detailed budgeting, especially around understanding the full scope of evidence needs. This suggests the need for detailed budgeting, based on a more comprehensive, up-front and thorough estimate of needs and costs and a contingency in the budget in future. The use of consultancy support to provide necessary capacity within the team increased costs significantly. Ensuring sufficient staff resourcing is available within the team from the outset will reduce the need for long term reliance on consultancy support.

- 3.10 *Suggested future action* – a fully costed realistic budget is needed from the outset of the project. This should identify all necessary resources (for example, staffing, external consultancy support, ICT) as well as evidence needs and likely costs. A contingency should also be included to allow for unanticipated additional costs.

Quality

- 3.11 Adoption of the Local Plan followed successful completion of each key stage. The Examination into the soundness of the Local Plan was undertaken by a Government appointed Planning Inspector between March 2018 and April 2019. This stage included a number of Public Hearing sessions – round table discussions led by the Planning Inspector during a 2 week period in October 2018. People and organisations who had submitted representations had an opportunity to participate in these sessions, at the invitation of the Inspector. The Inspector concluded that the Local Plan is sound and provides an appropriate basis for the planning of the District, subject to a number of main modifications, which is a normal part of the Local Plan preparation process.
- 3.12 The modifications were prepared in liaison with the Planning Inspector and most did not require significant extra work. However, during the Hearings, the Inspector did ask the Council to do some more work related to Policy BE2: Strategic Distribution, to assist him in his consideration of the soundness of the Local Plan. Policy BE2 (as worded in the draft Local Plan) allowed development of up to 700,000 square metres of Strategic Distribution floor space adjoining Magna Park subject to certain criteria, but did not allocate a specific site to meet this limit. The Inspector expressed some concern about managing such a significant matter through the draft criteria-based policy. The Inspector asked the Council to consider how best to resolve the issue. Council considered three alternative options relating to the policy: remove the policy; justify the existing criteria-based policy (described by the Inspector as a ‘sub-optimal option’); or to allocate a specific site. At their meeting of 18 December 2018, Council decided to modify Policy BE2 to allocate land adjoining Magna Park to meet the upper limit of 700,000 square metres. This modification was consulted upon, together with other modifications to the Local Plan, and informed the Inspector’s subsequent report into the soundness of the Local Plan.
- 3.13 The Examination of the Local Plan was a significant and lengthy part of the project, culminating in the receipt of the Inspector’s report, concluding that the

Local Plan is 'sound' (subject to modifications), confirming the quality of the Local Plan itself.

- 3.14 A number of areas of work came together to ensure the success of this stage of the project. Specialist input and advice from a number of external sources helped to provide evidence to demonstrate the soundness of the Council's approach. This included the advice and involvement of ecological, education and highways and transportation experts at Leicestershire County Council, specialist housing need advice, planning consultancy support and legal support during preparation for the Hearing sessions and during the sessions themselves. Significant staff resourcing for the Examination as a whole, and particularly during the Hearing sessions, ensured the process ran smoothly. This included co-ordinating the input from a number of internal Service areas, including Communications, Facilities, ICT, the Council's Programme Officer and Planning. Delegated authority was useful and meant the team were able to work quickly on answers to the Inspector's Questions and Statements to ensure he had everything he needed for a successful outcome.
- 3.15 *Suggested future action* – continue to comprehensively co-ordinate advice and support from a number of external advisors as well as input from key internal service areas to ensure quality outcomes from future projects.

Public Consultation

- 3.16 To support the dual channel-shift and Smarter Services agendas and to enable 24/7 provision of information and opportunities for comment, public consultation during the preparation of the Local Plan has been facilitated online through the Council's website.
- 3.17 The use of online provision of information and receipt of consultation responses is consistent with consultation exercises delivered by the Government and other local authorities. Training in the use of the online consultation portal was offered to Parish Councils and Meetings, supported by online written guides and contact details of officers from the Local Planning Team together with offers of help from the team.
- 3.18 Use of the online consultation portal enabled the more efficient processing of representations, allowing staff resources to be focused on summarising, analysing and responding to comments, rather than on data entry. Use of the portal required customers to register with the portal using their email address and selecting a password and then logging on with those details on future occasions. Assistance from officers of the Local Plans Team was available and provided mainly over the phone, especially for customers less familiar with the use of websites, particularly around registering and subsequently logging on to the portal.
- 3.19 Details of public engagement during the preparation of planning policy and the processing of planning applications is set out in the Statement of Community Involvement (SCI), dated March 2015. The Council is required to review its

SCI every 5 years. As such, a draft revised SCI will be presented to Cabinet and Council in due course and will be the subject of public consultation itself.

- 3.20 *Suggested future action* – review and revise the Statement of Community Involvement to ensure it is kept up-to-date. Continue to provide 24/7 access to planning consultation documents and enable responses to be made online and continue to provide training, support and advice in the use of online consultation portals.

Discussion points

- 3.21 The Panel may wish to discuss and comment on the following topics:

1. The role of project management tools and techniques.
2. The need for a fully costed budget for future projects.
3. The role of internal and external advice and support.
4. How best to support the use of online consultation portals.

4. Equality Analysis Implications/Outcomes (attach completed EA)

- 4.1 An Equality Impact Assessment was undertaken to support the adoption of the Local Plan (see attached, dated March 2019). This assessment concluded that the Local Plan will have an overall positive effect in relation to the following factors: age; disability; gender / sex; religious belief, racial group; other protected groups; and other socially excluded groups and an overall neutral effect in relation to: sexual orientation; and transgender status.

5. Legal Issues

- 5.1 None arising from this report.

6. Background Papers

- 6.1 Local Plan Modification – report to the meeting of Executive on 13th November 2018 and to the meeting of Council on 18th December 2018.

Adoption of the Harborough Local Plan 2011-2031 – report to the meeting of Executive on 25th April 2019 and to the meeting of Council on 30th April 2019.

Information Issued Under Sensitive Issue Procedure: N

Appendices:

A: Harborough Local Plan Equality Impact Assessment, March 2019