

**REPORT TO THE LOCAL PLAN EXECUTIVE ADVISORY PANEL MEETING OF
17th October 2016**

Meeting: Local Plan Executive Advisory Panel
Date: 17th October 2016
Subject: Assessment of Selected Spatial Options: Update
Report of: Local Plan Project Manager
Portfolio Holder: Cllr. Jo Brodrick
Status: For information and discussion
Relevant Ward(s): All

1. Purpose of the Report

- 1.1 To seek the Panel's further views on the preferred strategic option for housing development for inclusion in the pre-submission Draft Local Plan in the light of comments received from the Council's consultants and Counsel.

2. Advice To Executive

- 2.1 That the Panel confirms its previous recommendation to the Executive, as set out in paragraph 4.3, as the preferred option to meet the District's needs and as the basis for the draft Local Plan and Infrastructure Delivery Plan; and recommends that subsequent submission of the Local Plan for Examination be subject to the risks associated with the east of Lutterworth SDA being satisfactorily addressed.

3. Summary of Reasons for the Recommendations

- 3.1 The pre-submission draft Local Plan must be based on a robust analysis of all reasonable alternatives in order to meet the tests of soundness at Examination and should present a strategy which meets housing requirements for the district as well as possibly making a contribution to meeting any unmet needs arising from outside in accordance with the statutory Duty to Cooperate.
- 3.2 Since the previous report comments have been received which may lead to a re-assessment of the factors previously taken into account in arriving at a decision on the preferred option.

4. Key Facts

Background

- 4.1 The Executive at its meeting on 9th May 2016 agreed to further assessment of the following Selected Options (from the original 9 options considered) for accommodating future development needs in the Harborough District in the plan period to 2031:
- Option 2: Core Strategy Distribution;
 - Option 5: Kibworth SDA (North East proposal only);
 - Option 6: Lutterworth SDA; and
 - a variation of Option 4: Scraftoft / Thurnby, but based on a minimum of 1,200 dwellings in the vicinity of Scraftoft North.
- 4.2 It also agreed that these Selected Options be subject to further tests and that there would then be a further report to Executive with a recommendation for a single preferred spatial option. It was further agreed that this could be one of the options, a combination of options, or some other hybrid solution based on them.
- 4.3 At its meeting on 18th July the Local Plan Executive Advisory (LPEAP) considered a methodology for assessing the four Selected Options based on the various evidence studies that are being undertaken. The report to the LPEAP on 19th September presented the initial findings of that assessment based on a wide range of proportionate evidence, which had been considered in detail by the members of the LPEAP. Based on the findings of that initial assessment the Panel advised the Executive that:
1. Option 6, involving a Strategic Development Area on land east of Lutterworth, should be the preferred option for meeting Harborough District's housing and employment needs over the Plan period to 2031 and beyond.
 2. Scraftoft North SDA should be allocated as a reserve site for 1200 dwellings, only to be released if needed to contribute to meeting housing need from other local authorities as agreed within a Memorandum of Understanding or equivalent.
 3. Additional information as it emerged would feed into the report on the Draft Local Plan and would be included in the report and Appendix when it is considered by the Executive.

Further Information

- 4.4 Since that date some further information has been received from Peter Brett Associates, the Council's deliverability consultants, and from the Council's lead counsel for the local plan. Some comments have also been received from the agents for the promoters of the SDAs at Kibworth and Scraftoft North. It would have been possible to incorporate this further information into the report to the Executive as outlined in recommendation 3 above; but it was felt that members of the LPEAP should have the opportunity to consider this information first. It was therefore decided not to report the recommendations to Executive on 10th October but instead to report the matter back to this

meeting of the LPEAP and to take the draft plan, incorporating the preferred option, to Executive on 28th November.

- 4.5 Most of the comments relate to the risks involved in the delivery of the east of Lutterworth SDA. Some of these relate to the difficulties of comparing 'like with like' as between the SDA for 2750 dwellings at Lutterworth, delivery of which goes on into the post 2031 plan period, compared with smaller SDAs at Scraftoft North (1200 dwellings) and Kibworth (1600 dwellings), both of which would be largely developed within the plan period.
- 4.6 The risks associated with the east of Lutterworth SDA were flagged up in the report to the Panel on 19th September. Officers are working pro-actively to deal with the issues by:
- Meeting with the promoters to address the matters raised regarding infrastructure costs and delivery assumptions;
 - Meeting with the landowners or their agents regarding the availability of land required to build the access across the motorway;
 - Commissioning further transport modelling work on the junctions, on Gilmorton Road and on HGV movements;
 - Seeking the highway authority's view on whether the relief road is necessary for the delivery of the SDA;
 - Seeking information from the promoters to address questions about the junction capacity and the extent to which development is reliant on the by-pass, including how much development can be accommodated on existing roads; and
 - Seeking the views of Natural England on the feasibility study for the mitigation of impacts on the SSSI.
- 4.7 It is anticipated that the above actions will enable the Council to have more certainty about these risks by the time a decision is made by the Executive in November and the full Council in December.
- 4.8 In response to issues raised concerning how to compare 'like with like', advice has been taken from the Council's viability consultants who confirm that the assessment should be on a whole scheme basis. The 'pre-determination' of land release for the next plan period could be seen as an advantage, in terms of future proofing the plan, providing certainty and meeting the government's aim of boosting significantly the supply of housing.

Adjustments to the Assessment

- 4.9 To take account of the above comments as well as of the more detailed analysis of the Selected Options Sustainability Assessment (SA) which was only available shortly before the 19th September Panel meeting, some adjustments have been made to the assessment as follows:
- reconsideration of the ranking for the Selected Options Transport Assessment in the light of the re-modelling work;
 - separate consideration of sustainable transport accessibility to employment from the SE Leicester Transport study;

- ranking the Kibworth SDA higher than Lutterworth in relation to transport benefits, reflecting the difficulties of delivering the by-pass/ relief road at Lutterworth;
- updating of shortfalls in housing delivery under each option, including a change to the windfall allowance;
- an additional category reflecting the different levels of housing provision being made by the SDAs during the Plan period based on the consultants' review of housing trajectories for each scheme;
- use the residual value per hectare figures for viability as the most equitable basis for comparison;
- reflecting the position with regard to land ownership risks at Lutterworth;
- updating the expectations about secondary school provision at Scraftoft North following a meeting about this SDA;
- adjustments to the built heritage impact following changes to the wording in the Sustainability Appraisal (SA); and
- adding an additional factor under the Socio-Economic category to reflect the suitability of the locations of development in each option to meet Harborough's needs.

4.10 These changes have been fed into the assessment matrix and revised average rankings produced. This does not lead to any changes in the recommended preferred option and reserve site.

Conclusions

4.11 The SDA east of Lutterworth is well located to meet the housing needs of Harborough District as well as growth in employment in logistics and strategic distribution in Lutterworth. This SDA may also offer benefits for Lutterworth in potentially contributing to the delivery of a new motorway bridge and associated relief road for the town, thus providing the opportunity for environmental improvements in its town centre, subject to the further traffic modelling work now being undertaken.

4.12 On the other hand, the Scraftoft North SDA is considered to be not well located to serve the housing needs of the District as a whole and is best suited to meet unmet needs which could potentially arise from the City of Leicester during the plan period. At present it is not possible to be certain that there will be a duty to meet any unmet need from another Council's area, such as the City of Leicester, although it does seem likely. This may not be clarified until autumn 2017 and the Scraftoft North site would be allocated as a 'Reserve Site' in the meantime.

4.13 If the east of Lutterworth option is still to be preferred, it will be necessary to work proactively and cooperatively with the promoters of the site and landowners to arrive at an agreed basis for the SDA, to be reflected in the site-specific policy in the Local Plan, to ensure that all necessary land is under the control of the developers and to investigate the scope for public funding, if necessary, to secure the development of the site. This will be picked up in the Infrastructure Delivery Plan (IDP) accompanying the Local Plan in partnership with the developer.

5. Legal Issues

- 5.1 It is necessary to pursue an objective and robust approach to Local Plan spatial development distribution option assessment, as set out in this report, in order to ensure the Local Plan is capable of being found sound at Examination.

6. Resource Issues

- 6.1 The costs of the additional evidence required for further investigation of issues in relation to the east of Lutterworth SDA described earlier in paragraphs 4.6 and 4.13 above, can be met from within the revised budget approved by Executive at their meeting on 5th September 2016. At this stage it is not anticipated that any further evidence is required relating to the Scraftoft North SDA.

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.

8. Risk Management Implications

- 8.1 A timely decision on a preferred spatial distribution option for housing and employment development across the District will help avoid delay to the Local Plan preparation/adoption process with consequent beneficial effect on the following Corporate Risks:
- 8.2 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.
- 8.3 CR 10 Local Plan Risks: lack of a sound Local Plan may lead to sporadic development and the inability to defend appeals.

9. Consultation

- 9.1 Consultation has taken place with the Planning and Regeneration Portfolio holder and with the Council's retained lead Counsel on the contents of this report.

10. Options

- 10.1 Not to assess the 4 Options
- 10.2 The 4 Options need to be narrowed down into a preferred option, which will form the basis of the spatial development distribution strategy underpinning the Local Plan. This selection process must stand up to scrutiny by the future independent Local Plan Planning Inspector, together with all stakeholders and participants in the preparation of the Local Plan including during forthcoming Examination process lead by the independent Planning Inspector. As such,

the process needs to be robust, evidence-based, and objective and lead to the most sustainable and appropriate spatial option for the District.

11. Background Papers

[A New Local Plan for Harborough: Options Consultation Paper- September 2015](#)

Previous report(s): [Report to Executive 9th May 2016: Local Plan Options Assessment and Selection](#)

[Report to Executive Advisory Panel 18th July 2016: Selected Options Assessment Methodology](#)

[Report to Executive Advisory Panel 19th September 2016: Assessment of Selected Spatial Options](#)

Information Issued Under Sensitive Issue Procedure: N
Ward Members Notified: N