

NORTH WEST LEICESTERSHIRE LOCAL PLAN – PARTIAL REVIEW
STATEMENT OF COMMON GROUND
COMPARISON OF TRIGGERS USED IN RECENT LOCAL PLANS IN LEICESTERSHIRE

Background

This statement has been agreed by the following participants:

- North West Leicestershire District Council;
- Home Builders Federation;
- Bidwells on behalf of Davidsons;
- Turley on behalf of Gazeley;
- Gladmans

The proposed wording of Policy S1 links submission of the Substantive Review to the agreement of a Statement Of Common Ground (SoCG) by the Leicester and Leicestershire local authorities which sets out a redistribution of unmet need from Leicester City

A number of representors¹ have made reference to policies from three other Leicestershire Local Plans which have been adopted since the North West Leicestershire Local Plan was adopted in November 2017. These are:

- Harborough – Policy IMR1, adopted 30 April 2019
- Melton – Policy SS6, adopted 10 October 2018
- Oadby and Wigston – Policy 47, adopted 16 April 2019

Copies of the respective policies are attached at Appendix. 1. Also included for ease of reference is Policy S1 as proposed by the Council.

To assist the Inspector in her consideration of this issue, a comparison of the various policies has been undertaken as set out below.

¹ Davidsons – 0035, Gazeley – 0029, Home Builders Federation – 0013, Gladmans – 0025)

Does the policy make explicit reference to ...	Local Plan			
	Melton (adopted Oct 2018) Policy SS6	Oadby and Wigston (adopted April 2019) Policy 47	Harborough (adopted April 2019) Policy IMR1	North West Leicestershire (as proposed) Policy S1
Review to address specific unmet needs elsewhere in the HMA and if so where?	No	No	Yes Leicester City	Yes Leicester City
Review to address generic unmet needs elsewhere in the HMA?	Yes	Yes	Not specifically, although the MOU/SocG referenced in in 2a could identify unmet needs elsewhere in HMA	No
Statement of Common Ground?	No	No	Yes (adoption of to trigger commencement of review)	Yes (to submit for Examination)
Memorandum of Understanding?	Yes (adoption of to trigger commencement of review) and if Strategic Growth Plan adopted	No	Yes (adoption of to trigger commencement of review)	No
Other triggers for review to commence and if so what?	Yes Monitoring of Local Plan provisions and targets 5-years of adoption Housing Delivery Test (below 75%) Melton master-planning	Yes Monitoring of Local Plan provisions and targets identifies significant and persistent shortfalls No later than 5-years of adoption Post 2031 growth identified in Strategic Growth Plan can be capable of coming forward earlier than anticipated	Yes Monitoring of Local Plan provisions and targets and identification of persistent shortfalls in housing. Within 12 months of publication of Leicester City Local Plan (Reg 19 version) which includes evidence of unmet housing need.	No

Period within which review to commence and if yes what is the period?	Yes 6 months of one of the 4 triggers being met	Yes 6 months of trigger being met	Yes Within 6 months of MOU/SOCG or monitoring framework review or within 12 months of Leicester City Reg. 19 Local Plan	No
Period within which review to be submitted for Examination and if so what the period is?	No	Yes Within a further 24 months from commencement (being publication of a Reg.18 version)	Yes Within 30 months from commencement (being publication of a Reg.18 version)	Yes Within 18 months from Statement of Common Ground being agreed by all authorities
Policies being deemed to be out of date if target for submission missed?	No	Yes	No	No

Summary of these policies

There are similarities in the approaches:

- 3 refer to either an SOCG or MOU, either to trigger commencement of a review or to provide a timeframe for submission.
- All provide triggers to commence a review save for NWL (because the review is already underway). In each case other than NWL there are multiple triggers.
- Most of the triggers to commence a review are “within 6 months”.
- All policies other than that for Melton include a period within which the review is to be submitted for Examination. That for North West Leicestershire is the shortest (within 18 months of SOCG agreement) although the SOCG is the only driver to control submission, with Harborough and O&W having multiple triggers.

There are also differences in the 4 approaches:

- Two (North West Leicestershire and Harborough) refer specifically to a potential unmet need being identified in Leicester City (Harborough’s is specific to unmet housing need whereas NWL’s is not).

- Whilst a Statement of Common Ground or Memorandum of Understanding is referred to in 3 policies, for North West Leicestershire its agreement is applied to form a deadline for when the review should be submitted for Examination, rather than it being a trigger to commence a review (Harborough and Melton).
- One of the policies (that for Oadby and Wigston) refers to the Local Plan being considered out-of-date if the target for submission is missed, although only in relation to those parts of the plan subject to review

Harborough Local Plan

IMR1 Monitoring and review of the Local Plan

1. The Council will monitor, through the preparation of its Annual Monitoring Report, the delivery and effectiveness of policies of this Local Plan against specific performance indicators and targets set out in Appendix K: Monitoring Framework.
2. A full or partial update of the Local Plan will be commenced (defined as the publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) within 6 months of the following:
 - a. the adoption by the Council of a Memorandum of Understanding (MOU) or Statement of Common Ground (SoCG) which proposes a quantity of housing or employment development to 2031 that is significantly greater than the housing requirement or employment need identified in this Local Plan; or
 - b. in the absence of an adopted MOU or SoCG, 12 months from the date of publication of a Local Plan for Leicester City (defined as publication of an invitation to make representations in accordance with Regulation 19 of the Town and Country (Local Planning) (England) Regulations 2012) that includes satisfactory evidence of an unmet local housing need; or
 - c. conclusion of a review in response to specific trigger points as set out in the monitoring framework, including identification of significant and persistent shortfalls in the delivery or supply of housing against the housing requirement.
3. Any full or partial update of the Local Plan triggered by 2. above will be submitted for examination within 30 months from the date it commenced.

Melton Local Plan

Policy SS6 – Alternative Development Strategies and Local Plan Review

Melton Borough Council is committed to meeting its requirements for housing, employment and other development and infrastructure. The Council will regularly monitor delivery of new development in the context of policies and targets within this plan. Where monitoring identifies significant and persistent shortfalls in the delivery of housing and employment, infrastructure or spatial distribution that deviates significantly from the plan strategy, or there are changes within the HMA to the objectively assessed need for development or the spatial distribution of growth across the HMA, the Council will consider a full or partial review of the Local Plan to identify alternative or additional development sites.

Any plan review arising from the above should be carried out quickly. The Council will prioritise exploring potential alternative or long term options in terms of their suitability, availability, infrastructure and deliverability.

The circumstances in which a review (defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning)(England) Regulations 2012) will be carried out are specified as follows:

- The adoption by the Council of the Strategic Growth Plan and the Memorandum of Understanding, which proposes a quantity or spatial approach that is significantly different to that set out in the Local Plan, unless there is sufficient flexibility already provided for within the Plan; or
- 5 years from adoption and every 5 years subsequent to the completion of the Review; or
- changes occur within the HMA to the objectively assessed need for development or the spatial distribution of growth across the HMA including Melton; or
- Where, when demonstrated by the Monitoring Framework (Appendix 5), that:
 - (i) the Housing Delivery Test indicates that delivery is below 75% of the housing requirement as set out in the housing trajectory, over the previous three years (subject to the transitional provisions in NPPF 2018); or
 - (ii) The circumstances for review specified in Policies SS4 and SS5 above in respect of the masterplanning and delivery of the Melton Mowbray Sustainable Neighbourhoods, become applicable.

The review will be commenced within 6 months of occurrence of one of the above circumstances.

Where there is a made Neighbourhood Plan, the review will be carried out in consultation with the NP 'qualifying bodies' and, where applicable, solutions prepared via the NP revision process. If a NP is in preparation but not made, the Council will inform the qualifying body who may consult with their community to identify alternative proposals for consideration.

Oadby and Wigston Local Plan

Policy 47 Review Triggers

Oadby and Wigston Borough Council is committed to meeting its own requirements for housing, employment, other development, and infrastructure. The Council will regularly monitor delivery of new development in the context of policies and targets within this Plan.

The Council will commence a full or partial review no later than 5 years from adoption of the Plan, or where monitoring of targets set out in Chapter 12 of the Plan, identify significant and persistent shortfalls in the delivery of housing, employment, other development, and / or infrastructure that deviates significantly from the Plan strategy.

The Council will commence a full or partial review if a local authority within the Leicester and Leicestershire Housing Market Area has an evidenced unmet need, which cannot be met by that local authority and which it is considered through the Duty to Cooperate by the Leicester and Leicestershire Members Advisory Group could be best met, in whole or in part, within the Borough of Oadby and Wigston.

The Council will also commence a full or partial review should the post 2031 development strategy set out within the Leicester and Leicestershire Strategic Growth Plan be capable of coming forward earlier than is currently anticipated, for example because the A46 Expressway is to be delivered.

Should a full or partial review be triggered by any of the above, the Council will commence the review (defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) within 6 months. Once the review has commenced the Council will submit the Plan Review to the Planning Inspectorate for Examination within a further 24 months of the date of commencement of the review. In the event that the Council does not submit the Plan Review to the Planning Inspectorate within 24 months of the date of commencement of the review, the parts of the Plan that are under review will be deemed out of date, if not already deemed out of date by virtue of national policy.

North West Leicestershire Local Plan (as proposed)

Policy S1 – Future housing and economic development needs

Over the plan period to 2031 provision will be made to meet the housing and employment land needs of the district as identified in the Leicester and Leicestershire Housing and Economic Development Needs Assessment (January 2017).

This means that:

- provision will be made for the development of a minimum of 9,620 dwellings (481 dwellings per annum) which is the Objectively Assessed Need (OAN) and Housing Requirement for the district;
- provision will be made for 66 hectares of land for employment purposes (B1, B2 and B8 of less than 9,000sq metres)
- Provision will also be made for 7,300sq metres for shopping purposes.

The Council will continue to work collaboratively with the Leicester & Leicestershire Housing Market Area (HMA) authorities to establish the scale and distribution of any additional provision that may be necessary in North West Leicestershire and elsewhere in the HMA as a result of the inability of one or more authority to accommodate its own needs as identified in the Leicester and Leicestershire Housing and Economic Development Needs Assessment. This will be done through a Statement of Common Ground (SOCG) dealing with the redistribution of any unmet need from Leicester City and the submission of a replacement Local Plan will take place within 18 months of the date at which the SOCG is agreed by all of the authorities.