



Local Plan Update

Cllr Ganesh, Cabinet Member for Planning and Infrastructure

Report to	Cabinet
Ward(s):	All
Key Decision:	Yes
Papers relied on:	National Planning Policy Framework (2021) Planning Practice Guidance

Foreword – Cllr Ganesh, Cabinet Member for Planning and Infrastructure

The Council has been working towards updating its Local Plan to ensure a Plan led approach to growth and change in the borough which meets the needs of our residents and visitors in a way that responds to the climate change agenda, ensures that communities are beautiful and sustainable, and that our environment is protected and enhanced, supporting the ecological emergency declaration.

Whilst we have been working proactively to move forward with the development of the Plan, there are significant and sustained concerns held by a range of stakeholders about the level of future growth in the area and the use of the standard method to identify the borough's housing need. It is important to keep the plan process going but in a way that responds to local concerns and local circumstances, as well as national policy and guidance. At the current time it has become clear that it would not be appropriate to undertake a consultation on a draft Plan at this stage whilst such significant concerns around the housing numbers remain.

Recommendation:

That Cabinet:

- **Take appropriate steps to communicate with the new Secretary of State to advocate a move away from the standard method for calculating housing need;**
- **Continues to carry out work to identify whether there is a sound alternative to the standard method, and work to establish whether the housing requirement should be less than the housing need figure based on constraints within the borough, and in advance of consultation on a draft Plan (Regulation 18);**
- **Notes the update to the timetable for the Local Plan Update and resulting updates to the Local Development Scheme;**
- **Endorses taking a positive approach to development proposals which contribute to delivering the well-being of the area and meet policy objectives,**

working with developers through the planning system to deliver suitable and sustainable schemes and work towards the five year housing land supply.

Background, corporate objectives and priorities

The considerations outlined in this report support the delivery of each of the Council Plan (2020-2024) priorities, namely planning for the future, protecting and enhancing our environment, and strengthening communities. More directly, it supports the following priorities:

- *Supporting local communities;*
- *Improving air quality;*
- *Improving river and landscape quality;*
- *Promoting more sustainable and better transport options and connections;*
- *Shaping high quality sustainable communities;*
- *Well-designed, well-built homes; and*
- *Supporting jobs and business growth.*

Glossary of terms

Term	Definition
ALP	Adopted Local Plan
DLUHC	Department for Levelling Up, Housing and Communities
LPA	Local Planning Authority
LPU	Local Plan Update
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
Housing Need figure	The unconstrained number of homes needed in an area. Assessing housing need is the first step in the process of deciding how many homes need to be planned for in a Local Plan.
Housing Requirement figure	The housing number used in a Local Plan which reflects the extent to which the identified housing need can be met over the plan period in light of local circumstances, including constraints.
Housing Numbers	In this report the use of the term housing numbers includes a reference to both housing need and housing requirement

Main considerations

1. Executive Summary

- 1.1 The council took the decision in November 2019 to update its adopted Local Plan which became five years old in May 2021. The decision was taken to ensure an up to date planning framework for the borough which would guide future growth and change. Initial stages of Plan making have been completed since that time,

including: an Issues and Options consultation, compiling a robust evidence base and also the development of a draft updated policy framework and spatial strategy.

- 1.2 As the Plan has progressed, significant concerns have been expressed by a range of stakeholders, including Councillors, MPs and the local community, over suitable housing numbers for the borough, a fundamental element of any Local Plan. The level of concern was demonstrated by council motions in October 2021 and March 2022, which strongly rejected the use of the nationally set standard method to calculate housing need. The ongoing high number of new homes built in the borough, coupled with continuing high future housing need figures resulting from the application of the standard method (currently 880 new homes per year) has led to concerns over the resulting impacts on the borough, for example on the environment, the climate emergency, infrastructure, water supply and sewage. These concerns have been echoed at EPH Committee.
- 1.3 There has also been growing uncertainty at the national level over the government's future direction on housing growth, which has led to a number of other local authorities revisiting the suitability of their own evolving plans. The new Prime Minister has indicated support for a move away from top down national housing need figures, although no details of potential changes have yet been made available.
- 1.4 Ensuring suitable housing numbers for the borough is imperative to meeting the aims and objectives of the council which include ensuring that local housing need, including affordable housing need, is met. However, these needs should be met in an appropriate and sustainable way which is not to the detriment of the borough's communities and environment. As such, it is considered necessary to take more time at this stage of plan making, and prior to any consultation on a draft Plan (Regulation 18), to consider the way forward and relook at housing numbers for the borough, reflecting upon local circumstances and also more up to date information including the outputs of the 2021 Census.

2. Background

- 2.1 In light of the decision to update the adopted Local Plan in 2019, work has progressed on developing an updated Plan to ensure that it remains fit for purpose, reflects current national planning policy and guidance, delivers local priorities and meets future needs. The decision to update the Plan took into account the significant benefits of having an up to date local planning framework and a plan led approach to change. For the borough, this includes supporting the climate change agenda and the delivery of the Climate Change and Air Quality Strategy; introducing a strengthened policy framework to improve design quality; meeting the borough's housing, employment and infrastructure needs in a sustainable way which protects the borough's environmental and heritage assets; and ensuring a plan led approach to future change, including through the restoration of a five year supply of deliverable housing sites. Through the review process to date, it has become clear that whilst some policies remain relevant and up to date, the majority need to be updated to both reflect new national policy and guidance and local objectives. A number of new policies have also been proposed. Whilst the national planning system is changing, it remains appropriate to continue progressing the Plan, to ensure the council is in the best position to achieve an up to date plan (and be able to react to any changes to national policy and guidance that may occur).

- 2.2 Good progress has been made on updating the Plan, with key workstreams including the preparation of a robust evidence base; the development of a spatial strategy and identification of sites; and the review of the current policy framework to ensure it is up to date, robust and maximises opportunities to deliver the council's aims and objectives. The council's Economy, Planning and Housing Committee has received and debated a number of reports related to the Plan over the last two years, shaping its evolution, supported by a more technical Members Advisory Panel. A number of the initial non-statutory stages of plan making have been completed, including an Issues and Options consultation in 2020. A series of meetings and ongoing dialogue with a wide variety of stakeholders has also taken place as the Plan has evolved.
- 2.3 However, concerns around the housing need figure calculated by using the standard method for the borough have continued to grow as the Plan making process has progressed. This concern has been expressed by a range of stakeholders including residents, community groups and parish councils, and also local councillors and MPs. This has impacted on the work of EPH Committee which itself has listened to and expressed similar concerns. A Council motion was agreed in October 2021 which stated the following:
- 'As the process of revising the Basingstoke & Deane Local Plan has commenced, it is becoming clear that many local people, and indeed councillors, are very concerned that yet again another vast number of new dwellings is being proposed for our Borough.*
- Basingstoke has played an enormous part in delivering housing to this country. From the sixties onward, we have seen estates appearing all over the town and surrounding settlements, swallowing up farms and villages. It is accepted that growth has to happen and houses have to be built, but this Borough simply can't continue to roll over to central demand. We have been at the vanguard of house delivery for long enough. It is time to assess our Borough, time to take seriously its future with regard to environment, biodiversity, climate emergency, roads infrastructure, water supply and sewage.*
- The EPH Committee's rejection of the proposed 17,820 units over the next plan period was both wise and welcome. The request now is that all councillors join in this resolve. In order to send the strongest possible message to government the motion proposed is that "this Council rejects 17,820 units as the housing figure in the Local Plan Review.'*
- 2.4 The Cabinet formally considered this motion in March 2022 and resolved to continue to prepare the LPU for Regulation 18 consultation on the basis of the standard housing method but to also fully explore an exceptional circumstances case to inform housing numbers for future stages of the LPU process. Work continued on this basis.
- 2.5 A further Council motion was agreed in March 2022, as follows:

'Basingstoke and Deane Borough Council has agreed a motion by which it rejected the figure of 17,820 units in the Local Plan Update which had been calculated using the "Standard Method".

The Standard Method uses data which is 13 years out of date whereas up to date data from the 2021 Census is becoming available. This amounts to "exceptional circumstances" which would justify use of an alternative to the Standard Method. It is essential to identify a more robust and credible lower figure than that currently proposed.

This can only be done without delay by using the Chelmer Housing Projection Model incorporating up to date 2021 Census figures without pausing the progress of the Local Plan Update.

The Council resolves to request that Cabinet explores this model, informed by legal advice, to ensure that the emerging local plan meets the legal tests of compliance and soundness when these tests are applied independently at the Examination in Public in 2024 and subsequently by the Secretary of State.'

- 2.6 Concerns reflected in the motion have continued to be expressed locally with many stakeholders attending meetings and expressing views on the matter, including the local MP. Growing uncertainty at a national level has increased concerns, fuelled by political changes at central government level and the publication of initial census data in summer 2022. This has resulted in an increasing number of other local authorities pausing their statutory plan making duties in light of current uncertainties over the exact form and timing of any future changes. This includes a number of neighbouring authorities who have, in a similar way to BDBC, expressed their ongoing concerns about the standard method simply reinforcing past trends and also how the high levels of housing pressure have reshaped communities and adversely impacted upon quality of life through the disproportionate levels of growth being experienced. It should be noted however, that every local authority has its own unique circumstances which will lead to and justify different actions being taken. For example, some authorities have progressed Plans with housing need figures that differ from the current standard method because their Plans were submitted in advance of the introduction of this approach.

3. Key Issues

Nature of concerns

- 3.1 As reflected in the council motions, concerns particularly involve the use of the national standard method for conducting a local housing need assessment as a basis for Plan making and its applicability to the borough. The standard method was introduced in July 2018 with the requirement to use this method included in the National Planning Policy Framework (NPPF, revised July 2021). It states that the method should be used '*...unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals*'. The method, which includes inputs of population projections and housing affordability, currently leads to a housing need figure of 880 homes a year.
- 3.2 More specific concerns that have been expressed include the on-going high levels of delivery that result from the standard method and its impact, the out of date nature

of the inputs that should be included and also the suitability of the affordability ratio adjustment. These are each addressed briefly in turn below:

- Continuing high housing delivery: the borough has accommodated high rates of housing delivery for a significant period of time. Over 16,000 new homes were delivered between 2001/02 and 2020/21, which is considerably higher than the regional and national average. In 10 of the last 20 years (2001/02 to 2020/21), Basingstoke and Deane built more homes as a percentage of its housing stock than the upper quartile for all local authorities. These past high rates of housing delivery have led to high levels of in-migration which have in turn led to high rates of projected new households in the household projections. The trend-based nature of the household projections therefore mean that in making a positive significant contribution to helping meet national housing needs in the past, the borough has a higher need to meet in the future. The standard method approach ensures that past trends of development are replicated in the future.

There are general concerns expressed by stakeholders about the impact that high rates of development have on the physical environment, local communities and infrastructure. There are particular concerns over the impacts of ongoing high delivery on the borough's local communities including rural towns and villages, the local valued environment including the landscape, biodiversity and the water environment, and also local infrastructure and its ability to continue to accommodate growth at such a fast rate.

- Out of Date inputs: In February 2019 the government made it a specific requirement to use the 2014-based household projections within the standard method (PPG 2a-015). The government considered that this was necessary to ensure that historic under-delivery was reflected and that this was consistent with the government's objective of significantly boosting the supply of homes. However, it is clearly the case that the most up to date data is not being used in establishing future housing needs.

The data from the 2021 Census has now started to be released, enabling the council to examine the suitability of the 2014-based household projections and also consider whether there are any exceptional circumstances to justify deviating from the 2014-based position. Also, with the government aware that the 2014-based household projections are out of date, the provision of up-to-date data may result in a change to the standard method in the future, adding to the current position of uncertainty on the national scene.

- Affordability Ratio Adjustment: the affordability adjustment in the standard method approach further raises housing figures across the South East where house building levels remain high. In the case of BDBC, it lifts the standard method figure by almost a third above the housing need indicated by the 2014-based household projections. Local affordability data demonstrates that greater levels of house building have not acted to stabilise or reduce house prices. In fact, the new homes built in the Borough are more expensive than existing homes and affordability has continued to worsen despite the borough recently delivering far in excess of its current housing requirement. There is therefore concern that the application of the adjustment locally is not suitable and is not leading to the intended results.

3.3 It is apparent that a number of alternative approaches are being worked up by interested parties, although these have not yet been seen by or discussed with the LPA. These include the use of alternative housing models such as the Chelmer Model, the use of different population projections and also births, deaths and migration data, and the removal of the affordability ratio adjustment. Such approaches could give a variety of outputs (ranging from 300 homes per year to 750 homes per year), depending on the approach used. With a decision to give further consideration to a suitable approach, more detailed assessment of the approaches can be made, taking into account both local circumstances and national policy.

Council's approach

3.4 Following the Cabinet resolution in March, officers have progressed work to further consider housing numbers for the borough and further work will be required. Workstreams include the following:

- Exploring alternative approaches being worked up by stakeholders to consider their suitability in relation to both local circumstances and planning policy, and ensure the council is moving forward with a robust and legally compliant Plan.
- Expert technical consultants Stantec have been commissioned to undertake analysis and suitable modelling work based upon the 2021 census releases to date. This will help to inform the robustness of any alternative approach using up to date information and also enable the council to fully explore the exceptional circumstances position, as set out in paragraph 61 of the NPPF.
- Exploring the extent to which the housing need figure would be impacted upon by local constraints to produce a suitable housing requirement position for the Plan. NPPF paragraph 11(b) states that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area. (Footnote 7 states that the NPPF policies that are relevant are those relating to habitats sites and/or Sites of Special Scientific Interest, Green Belt, an Area of Outstanding Natural Beauty, a National Park or Heritage Coast, irreplaceable habitats (e.g. ancient woodland), designated heritage assets and areas at risk of flooding or coastal change.)
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

Consideration has been given to specific and notable local constraints including:

- Environmental designations such as the North Wessex Downs Area of Outstanding Natural Beauty (AONB) which covers 32% of the borough, designated Sites of Special Scientific Interest (there are 19 in the Borough) and ancient woodlands, which are numerous.

- The land use planning consultation zones surrounding AWE Aldermaston and AWE Burghfield which require development at Tadley to be managed in the interests of public safety.
- Impact of development on water quality, including the need to demonstrate that development is nutrient neutral where increased wastewater treatment could have adverse impacts on protected habitats.
- Water supply with the borough being under water stress and the potential for there to be a lack of sufficient water for the plan period to meet needs.
- The ability of social infrastructure such as education, health and community facilities, to be available to meet the needs of residents successfully given past and ongoing high growth levels.

4. Housing Land Supply Position

- 4.1 The council is currently unable to demonstrate a 5-year housing land supply and therefore the application of the presumption in favour of sustainable development results in the so-called 'tilted balance' being engaged. This position has primarily resulted from the lack of delivery on two larger strategic allocations in the adopted Local Plan. The spatial strategy for the LPU will need to ensure that a suitable variety of sites are allocated, including smaller sites which can deliver quickly, to maintain an ongoing supply of homes. Whilst the council continues to take a positive approach to land supply and there are approved permissions for more than the current 5 year requirement, when taking into account national policy and guidance on what can be included within 5 year land supply calculations, a robust supply cannot be demonstrated.
- 4.2 The lack of a 5 year supply has led to planning permission being granted for a number of developments which have been unsupported by local communities, most notably around rural towns and villages, undermining made Neighbourhood Plans and putting pressure on local infrastructure. Restoring a healthy 5 year land supply position was one of the reasons behind progressing with a LPU, to ensure an ongoing supply of deliverable sites.
- 4.3 At 1 April 2021 the council could demonstrate a supply of 4.5 years when assessed against the current standard method figure of 880 homes per annum. This reflects a shortfall of approximately 500 homes. This position is currently being updated to 1 April 2022 base date, through the completion of the annual housing monitoring process. Although the work has not yet concluded, it appears at this stage that the council will continue to be unable to demonstrate a robust land supply position based on current levels of supply. It is worthy of note that national guidance suggests that a 10% buffer is required to ensure a robust position, amounting to a shortfall of approximately 720 homes. This number may increase if the borough's standard method housing figure also increases (updated twice a year), for example as a result of worsening housing affordability. Given the ongoing reduction in supply moving forwards, with a number of allocations from the adopted Local Plan now complete, it will become increasingly difficult to restore the position without new deliverable land being brought into the supply.
- 4.4 Any lack of progress on the LPU and the allocation of deliverable land is likely to impact negatively on the land supply position. The council will therefore need to take a positive approach to suitable development proposals, working with developers through the planning system to facilitate the delivery of schemes. This is in line with

the NPPF which requires LPAs to approach decisions on proposed development positively. Under the current planning system, it is only through taking a positive approach to suitable proposals, and subject to sufficient sites coming forward, that the land supply position can be restored. It should be noted though that such developments will only be able to be assessed against policies in the current adopted Local Plan and national policy. An updated LPU is required to both set the housing requirement for the borough, ensure, with some certainty, an ongoing and longer-term pipeline of deliverable sites and provide up to date development management policies.

- 4.5 On this basis, this report seeks to acknowledge that while the further work on overall housing numbers is proposed to be undertaken, officers continue to work proactively with promoters of sustainable sites that can come forward and be delivered in the early years of the new LPU. This approach recognises that delays in preparing the LPU has wider impacts on the work needed for bringing forward sites.

5. Impact on Local Plan timetable

- 5.1 The current Local Development Scheme (LDS), which outlines a timetable for the update of the Local Plan, indicates that consultation is due to take place on a draft Plan (Regulation 18) this Autumn/Winter. Following a review of consultation outcomes, the process would progress to further consultation on an updated Plan in Autumn/Winter 2023. Following an examination in public and independent assessment of the Plan by the Planning Inspectorate, the Plan is currently timetabled for adoption in Autumn 2024.
- 5.2 The decision to give further consideration to housing numbers before statutory consultation is undertaken will have an impact on the timetable for producing and adopting the Plan. It is difficult at this stage to outline with certainty when consultation on a draft Plan will suitably take place. However, at this stage, and to ensure transparency for stakeholders, the following updated timetable is proposed for the LDS. This will continue to be reviewed as further work progresses. With further demographic data related to the census due to be released in summer 2023, it may take longer than outlined below to establish robust housing numbers. This may then need to be considered further through the commissioning of further evidence base studies. The updated timetable is a clear indication that the authority will not be able to meet the governments deadline for an up to date local plan by December 2023.

Consultation on draft Plan (Regulation 18)	Autumn 2023
Publication of Submission Draft Local Plan (Regulation 19)	Autumn 2024
Submission (Regulation 22)	Winter 2024
Examination and Main Modifications	Spring 2025
Adoption	Autumn 2025

6 Options Analysis

- 6.1 The council could continue to progress with consultation on the developing draft LPU this Autumn, using the standard method approach to assessing housing need in line with the March Cabinet decision and seeking to demonstrate that local

constraints mean that a lower housing requirement figure is justified and sound (as well as exploring a possible exceptional circumstances case). However, for the reasons set out in the report it is now considered appropriate to take more time to fully consider suitable housing need and requirement figures for the borough, particularly in light of uncertainty at a national level regarding future approaches to setting housing figures, and also the availability of new up to date data which may be able to be used to inform future decisions. It is noted that there are a number of significant risks to this approach and these are set out in section 9.

Corporate implications

7 Legal

- 7.1 In accordance with [regulation 10A of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) local planning authorities must complete a review of their local plan every five years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community.
- 7.2 The National Planning Policy Framework and the Planning Practice Guidance require the standard method to be used to calculate the housing need figure, in the absence of exceptional circumstances. The Council should therefore use the standard method to calculate housing need in relation to the local plan update unless exceptions circumstances can be demonstrated to justify an alternative approach.
- 7.3 The housing requirement figure, being the housing figure to be included in the local plan update, should be calculated having regard to the constraints within the Borough as set out in paragraph 11(b) and footnote 7 of the National Planning Policy Framework.
- 7.4 Failure to have an up-to-date Plan would be in breach of the Regulations and could also result in measures being applied by the Government to the Council in respect of its planning functions.
- 7.5 Any Plan that is submitted for Independent Examination will be assessed as to whether they have been prepared in accordance with the legal and procedural requirements, and whether they are 'sound' as set out in paragraph 35 of the NPPF. This includes a requirement for the plan to be consistent with national policy, which would include the requirement to use the standard method unless there are exceptional circumstances to justify an alternative approach.

8 Financial

- 8.1 Changes to the overall LPU timetable will impact upon the agreed budget for the project. This will be managed through the council's budgetary process. If additional resources are required due to the scale of work needed this would need to be identified during the council's budget monitoring and annual MTFS review and budget setting processes.
- 8.2 Also, in the continued absence of a five-year housing land supply and given the revised LPU timetable, it is likely that there will be more housing led planning applications submitted which will fall to be assessed against the adopted (and out of date) Local Plan and national policy and guidance. There are financial implications

for the council if relevant applications are refused that lead to appeals which require resourcing to support the reasons for refusal and which could also result in an award of costs if the council refuse planning permission on grounds found to be unreasonable.

9 Risk management

Overall risk

- 9.1 There are general risks associated with the authority not having an up to date Local Plan, and it has been made clear that every authority in England should have an updated Local Plan by December 2023. Where this is not the case authorities are at risk of measures being applied. Officers have met with the Department of Levelling Up, Housing and Communities (DLUHC) on a number of occasions to discuss the process of plan making locally and the fact that the nationally set deadline for an up to date plan will not be met. Support has also been provided by the Planning Advisory Services (PAS). There is a risk of some reputational damage (and a potential impact on future support) if the council does not proceed with plan making in a timely manner, in addition to a risk of intervention.

Failure to Meet Soundness Tests

- 9.2 The NPPF contains specific requirements with regard to the standard method for assessing local housing need. It is important to note that one of the 'tests of soundness' against which Local Plans are judged at examination, is that plans are 'consistent with national policy'.
- 9.3 The NPPF states, under paragraph 61: *To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.* (underlining added)
- 9.4 Planning Practice Guidance reinforces this position stating that there is 'a clear expectation that the standard method will be used and that any other method will be used only in exceptional circumstances'. It goes on to state that the standard method is not mandatory but if it is felt that circumstances warrant an alternative approach 'authorities can expect this to be scrutinised more closely at examination' and that there is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances.
- 'Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*
- Any method which relies on using household projections more recently published than the 2014-based household projections will not be considered to be following the*

standard method as set out in paragraph [now 61] of the National Planning Policy Framework. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method’.

- 9.5 There is therefore a very significant risk that any deviation from the standard method which results in a lower figure (whether it be through the use of different inputs to the method, the failure to apply certain parts of the method, or the use of alternative models) will be found unsound through the LPU process and could lead to abortive work and additional costs for the council. The policy and guidance strongly highlight the importance of demonstrating exceptional circumstances and there is a risk that the council will be unable to progress with a technically robust and sufficiently exceptional case to justify an alternative approach which is in line with relevant policy and guidance. As far as the council is aware, no other authorities in similar circumstances have proven such a case to date. Further work is required to consider this in more detail, for example the census work highlighted elsewhere in this report. Legal advice received by the Council highlights the risks involved in progressing a Local Plan which deviates from the standard method, particularly on the basis of a lower number. It is therefore crucial that the council develops an approach which is sound and fully applies relevant policy and guidance.
- 9.6 There is a further risk that if the council progresses with a Plan based on a lower housing need figure and/or a lower requirement based on local constraints, at the examination stage the appointed Local Plan Inspector may require significant changes to ensure soundness. Such late changes would require Main Modifications to the Plan, involving further consultation and assessment, further resource expenditure, and may lead to a Plan with reduced Member and local involvement and support. Alternatively, the Inspector may simply find the Plan unsound, resulting in the process having to start again. This would elongate even further the period when the council does not have a sound Plan and the time over which some of the council’s wider objectives, such as tackling climate change, cannot be progressed from a Local Plan perspective.

Lack of Plan Led Development

- 9.7 As outlined in section 4, the council is currently unable to demonstrate a 5-year housing land supply and therefore the application of the presumption in favour of sustainable development means that the so-called ‘tilted balance’ is engaged. One of the reasons behind reviewing the adopted plan was to restore the 5 year land supply position on an on-going basis. Having an up to date adopted plan provides the borough with a spatial strategy to deliver an on-going supply of housing sites over the short and longer term, guiding development to the right locations at the right time. In the absence of an up to date Plan, there is a risk that sites will come forward for development in locations that Members and local communities do not support. Any change to the overall timetable for the LPU is likely to negatively impact upon the 5-year supply position given the lack of new allocations to provide the required additional supply.
- 9.8 There is a risk that site promoters who are currently engaging with the LPU process to progress sites for future development, may now choose to take forward sites in advance of the LPU, without an up to date policy framework to ensure compliant development that meets the council’s aims regarding environmental impacts, climate change and infrastructure provision, amongst others. There is also the real risk that other additional (and not previously shortlisted) sites may now be taken forward by

landowners and developers through the development management process. It is also worth noting that sites that come forward in the shorter term, either through local decisions or appeals, may be progressed or fully built out before the LPU is well advanced. Any such completions will not be able to be counted in the Local Plan housing trajectory or as future supply. They will, in effect, be lost from a monitoring perspective, and therefore additional new sites may need to be identified through the Local Plan as a result, to ensure the future housing requirement is met.

New Planning System

9.9 Central Government published the Levelling Up and Regeneration Bill in May 2022 which outlined a number of significant changes to the planning system, including strengthening the role of Local Plans and refining their focus and process for review. Government is strongly encouraging LPAs to continue with Plan making and it is noted that transitional arrangements will be put in place. These arrangements are unclear at this time but the borough can best stand in a positive light if work continues on the LPU, even if there are further changes as it progresses. Being a proactive borough working on a draft plan, and progressing notwithstanding uncertainty, should place it in a better position when any transitional arrangements come into effect. Changes to the LPU timetable may result in the Plan not being sufficiently advanced to respond to changes as they arise and there is a risk that the Plan making process in the borough will be required to re-start in light of new procedures, rather than continue under transitional arrangements.

9.10 It should also be noted that any change to the timetable will impact upon the borough's wider ambitions, most notably in relation to climate change but also design and environmental protection.

Meeting Needs

9.11 The housing requirement set out in a Local Plan needs to be tested to ensure it will meet the needs of the local area. This includes the completion of evidence base studies such as a Housing Market Assessment. Any change to the number will require an update to published evidence base studies, with associated resource implications. There is a risk that the pursuit of a lower housing figure could restrict the ability of the Plan to meet all of the area's needs, including affordable housing, and ensure future development viability taking into account other policy expectations.

10 Equalities

10.1 A full EIA for the whole draft Local Plan Update will be completed by independent consultants as part of the Sustainability Appraisal process. The EIA will be reviewed at each stage of the LPU process to consider the implications of proposals on the protected characteristics and vulnerable groups.

11 Consultation and communication

11.1 In due course, a draft Local Plan Update will be published for consultation in line with the relevant legislation (Regulation 18). This will be a statutory consultation, following the guidelines set out in the council's adopted Statement of Community Involvement (SCI). It will enable all stakeholders to comment on the draft proposals

and help to shape the Plan's evolution. Further statutory consultation will also take place prior to adoption, subject to changes to the Planning system at a national level.

12 Climate change

12.1 An aim of the LPU is to provide a robust framework to ensure that new development minimises greenhouse gas emissions and supports adaptation to climate change. This is critical to ensuring that the council delivers on its commitments in the Climate Emergency declaration. Mitigating climate change and adapting to its impacts is a golden thread running through the evolving Plan, from achieving high quality sustainable design, prioritising travel by sustainable and active transport modes, to protecting the borough's natural assets. Any change to the timetable could impact on the delivery of the Climate Change Strategy. However, development has a negative carbon impact, as a result of emissions in the construction phase and additional on-going emissions through growth in the borough. Any reduction on the housing requirement is likely to have a positive impact in this regard.

13 HR

13.1 There are no human resource issues arising from this report.

14 Summary and reason for the decision

14.1 The council is committed to ensuring that an up to date Plan is put in place to guide change and ensure future needs are met in the most sustainable way. However, the Plan needs to respond to local circumstances and concerns, and reflect the specific issues faced by the borough. Sustained concerns over continuing high house building have been expressed and full consideration needs to be given to whether there are exceptional circumstances that would justify any alternative assessment of housing need to the standard method required under national policy, and whether there are constraints that would justify not meeting local housing need in full in the LPU. It is considered that this work should be completed prior to any consultation on a draft Plan. With so much uncertainty at a national level the council needs to ensure it is doing all it can to develop the right Plan for the borough.

15 Alternative options considered

15.1 This is considered in section 6 of the report.

Date: 27 September 2022 Decision taken by: Cabinet

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Status	Open
Confidentiality	It is considered that information contained within this report (and appendices) do not contain exempt information under the meaning of Schedule 12A of the Local Government Act 1972, as amended, and therefore can be made public.