

## NATIONAL PLANNING POLICY LEGISLATION UPDATE

### Item HP 24/10 referred from Housing and Planning Scrutiny Select Committee of 19 March 2024

The report of the Director of Planning, Housing and Environmental Health set out the key changes to planning policy legislation resulting from the Levelling Up and Regeneration Act (LURA) 2023 and the National Planning Policy Framework (NPPF) in December 2023 and outlined the implications for the development of the Local Plan.

Key changes to the plan-making system, planning data requirements and confirmation of the new Infrastructure Levy were introduced by the LURA. However, detailed implications for the Local Plan depended on the timing and content of secondary legislation, regulations and forthcoming best practice. Unlike the LURA, the changes introduced in the 2023 NPPF (detailed in Annex 1) applied from the date of publication and the key changes and implications were set out in 1.3 of the report.

Members noted that a duty to prepare a 'local plan timetable' replaced the existing Local Development Scheme (LDS); the requirement for the authority to set out proposals to meet requirements related to design codes and the new powers allowing the Secretary of State to prepare the timetable, make amendments and direct the authority to bring them into effect. The 'duty to co-operate' was to be replaced by a new alignment policy which was subject to further detail through secondary legislation and guidance.

With regard to the Local Plan, the policy environment had not changed as fundamentally as was previously indicated in the December 2022 consultation. The requirement to work with neighbouring authorities to deliver housing requirements remained. Whilst there was no specific requirement to review Green Belt boundaries to meet needs it was important for the purposes of good planning that 'exceptional circumstances' reasons were explored robustly now. The Local Plan had to clearly demonstrate how local housing need would be met and clear evidence had to be supplied.

In summary, whilst the government proposed to introduce new transitional arrangements to the new plan making system, the current transitional date remained and this meant that the Borough Council had to submit the Local Plan to the Secretary of State by June 2025. However, this would only be formally confirmed when further regulations had gone through the relevant parliamentary process. Therefore, delivery of the Local Plan remained a significant risk and an updated Risk Register was attached as Annex 2. The potential risk of changing legislation following a Parliamentary Election was also recognised.

In conclusion, the Regulation 18b Local Plan would be presented to Members in May/June 2024. Evidence within the Stage 2 Green Belt Study, Housing Constraints Assessment and Housing Market Delivery Study would be utilised to develop an appropriate sustainable spatial strategy to meet as much of the objectively assessed need as possible.

**\*RECOMMENDED:** That it be commended to Cabinet that

- (1) the contents of the report be noted; and
- (2) the approach to the Local Plan preparation matters be approved as set out in the report.

**\*Recommended to Cabinet**