

Overview and Scrutiny

Date of Meeting: 10 December 2024

Title of Report: Assessment of the Hart Local Plan (Strategy & Sites) 2032

Report of: Executive Director - Place

Cabinet Portfolio: Planning Policy and Development Management

Confidentiality: Open Non-Exempt

Purpose of Report

1. For the Overview and Scrutiny Committee to consider the assessment and to submit its comments to Cabinet on whether the adopted Hart Local Plan (Strategy & Sites) 2032 needs updating, and what the next steps should be.

Recommendation

2. That Overview & Scrutiny Committee provides comments to Cabinet, which will be asked to consider the following recommendations:
 - 1) to approve the summary of the local plan assessment at Appendix 1, which concludes that work should start on a new local plan, and
 - 2) that Cabinet agrees the Planning Policy & Economic Development team should commence preparatory work for a new local plan, as set out in paragraph 13.

Background

3. The [Hart Local Plan \(Strategy & Sites\) 2032](#) (HLP32) was adopted on 30 April 2020.
4. Local plans must be 'reviewed' within 5 years of adoption to assess whether they need updating. Paragraph 33 of the National Planning Policy Framework (NPPF) 2023 states:

"Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary. Reviews should be completed no later than 5 years from the adoption date of a plan and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every 5 years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future."

5. The review/assessment of the HLP32 is due by 30 April 2025. This is a Service Priority in the [Place Service Plan](#) for 2024/25.

Local Plan assessment

6. Since the adoption of the HLP32, the NPPF has undergone several revisions. The NPPF however, states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of a later version of the Framework.
7. The current assessment is that the HLP32 local plan has worked well, delivering well on its objectives, and continues to do so. It protects the countryside by

focussing development within defined settlements and on previously developed land, including the strategic new settlement being delivered at Hartland Village.

8. There are, however, good reasons why the Council should start work on a new local plan now in order to maintain an up-to-date local plan in the long run. The full summary of the assessment is set out at Appendix 1, but in brief those reasons are:
 - a) To maintain a five-year housing land supply in the long run. The last 5 years of the plan period will start on 1 April 2027. As is normal in the latter stages of a Plan-period, it will be necessary to start work on a new local plan to ensure, through a Plan-led system, that there is a sufficient supply of new homes post 2032, and that from 2028/29 the Council is still able to demonstrate a 5-year housing land supply. Given the timescales for preparing a new local plan, preparatory work should start soon.
 - b) Policy H5 Gypsies, Travellers and Travelling Showpeople is out of date. Despite previous efforts to address needs, no sites were forthcoming through a call for sites and the Council is not meeting its needs for transit sites and short-term stopping places.
 - c) As the evidence base supporting the policies gets older, so risks increase around the weight to be attached to plan policies. Some of the key evidence dates from around 2016 and it is prudent to update it sooner rather than later.
 - d) There are a number of [‘saved’ policies](#) from the previous Local Plan adopted in 2002. These should be looked at afresh as part of a new local plan.

Future changes to national policy

9. The Government is expected to publish a new NPPF and housing need figures possibly before the end of December 2024. If the draft proposals are carried through it would strengthen the case for a new local plan certainly in respect of housing requirements (see [Proposed reforms to the National Planning Policy Framework and other changes to the planning system](#)).
10. The Government also intends to publish National Development Management Policies (NDMPs) next year which would reduce the number of policies required in the next local plan. The NDMPs would be followed by a slimmed down NPPF focussing on plan-making.

Conclusion and next steps

11. In light of the assessment, the recommendation is to start preparatory work on a new local plan.
12. It is anticipated that the next local plan will be prepared under a new, faster 3-year plan-making process outlined in the Levelling Up and Regeneration Act. The Government intends to introduce this system through secondary legislation in Summer/Autumn 2025. It is not known for certain what the final details of the process will look like; the assumption is that the Government will build on the [draft proposals](#) that the previous Government consulted on in July 2023.
13. In the meantime, preparatory work can be undertaken so that the Council is ready to work on a new plan under the new system:

- A Project Initiation Document (PID) – in the case of a local plan this a complex task, not identified in the current service plan, and likely to require additional resource.
- Once the PID is agreed, recruit the necessary staff. The Planning Policy & Economic Development team is small and not currently set up to deliver a new local plan. Recruitment may not be straightforward given the current shortage of planning policy officers.
- In line with the Council's Digital Strategy the Council needs to procure plan-making software. This is necessary to expedite the plan-making process efficiently and effectively including public consultation.

Corporate Governance Considerations

Relevance to the Corporate Plan

Under the 'Place' theme (page 6) one of the 'four year goals' is to *"keep our Local Plan under review to ensure it is up to date"*.

Service Plan

- Is the proposal identified in the Service Plan? The Local Plan assessment is in the Service Plan. Work to prepare for a new Local Plan is not.
- Is the proposal being funded from current budgets? The Local Plan assessment is in the Service Plan and the work on it is met within existing resources. Work to prepare for a new Local Plan is not.
- Have staffing resources already been identified and set aside for this proposal? The Policy team will progress the preparatory work alongside its remaining current service plan commitments. Additional support is likely to be needed to prepare a PID and project plan which is a significant complex task in itself. Also see 'Financial and Resource Implications' below.

Legal and Constitutional Issues

14. Reviews/assessments at least every 5 years are a legal requirement for all local plans ([Regulation 10A of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)).
15. The preparation and review of the Development Plan and other planning policies and procedures is identified as an Executive function at page 48 of the [Constitution](#).

Alternative Options Considered and Rejected

16. The alternative is not to start the preparatory work for the next local plan. This is rejected on the grounds that the review's initial findings and the new Government's signals about housing and economic growth point to the need to start the process now.
17. Local Plans are major projects that require a great deal of preparatory work and project planning. Given the risks of policies becoming out of date in the future, it is sensible to start that work earlier rather than later.

Financial and Resource Implications

18. The local plan assessment is identified in the current service plan and has been met within existing resources.

19. Any expenses incurred this financial year for preparatory work (the PID and local plan software) will come from the current local plan reserve, subject to Cabinet approval on 5 December 2024.
20. Regarding plan-making costs at its meeting on 5th December, under the Medium-Term Financial Strategy (MTFS) review report, Cabinet will consider setting aside £1m for the resources necessary to undertake the Local Plan update, Precise details and amounts are not known at this stage, and greater clarity with a business case will be presented to Cabinet early in the new year following the PID and project planning exercise. However, it is important to recognise the demand now and set aside the funding.

Risk Management

21. No risks are highlighted as a direct result of this report. Starting preparatory work on a new local plan will reduce the risk of local plan policies becoming out of date in the future.

Equalities

22. The recommendations do not have equalities implications. However, the next local plan will be subject to an equalities impact assessment.

Climate Change Implications

23. The recommendations in this report do not have significant carbon/ environmental impacts. A new local plan will be prepared to ensure that new development is located, designed, and mitigated in a way that contributes to addressing the climate change challenge.

Action

24. A version of this report, including comments from Overview & Scrutiny Committee, will be reported to the Cabinet.

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Appendices

Appendix 1: Summary of the Hart Local Plan (Strategy and Sites) 2032 assessment

Background Papers

[Hart Local Plan \(Strategy and Sites\) 2032.](#)

Appendix 1: Summary of the Hart Local Plan (Strategy & Sites) 2032 assessment

1. This summarises the Local Plan assessment under the headings suggested in the [Planning Practice Guidance](#) (Paragraph: 065 Reference ID: 61-065-20190723) on what local authorities could consider when determining whether a plan or policies within a plan should be updated.

Conformity with National Planning Policy

2. The HLP32 was examined against the 2012 NPPF. Since then, the NPPF has been updated five times. A further update is expected by the end of December this year.
3. Paragraph 225 of the NPPF states:
“However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”
4. The updates thus far have retained the same thrust of the 2012 NPPF. The Hart Local Plan (Strategy & Sites) 2032 is still in general conformity with the 2023 version of the NPPF with the following caveats:
 - Policy H5 Gypsies, Travellers and Travelling Showpeople is out of date because it does not address current needs (permanent sites, transit provision and temporary stopping places). During a previous call for sites, no suitable sites were forthcoming, which gave the Council no site options to address needs.
 - With regards to evidence base, the NPPF states: *“31. The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals.”* Some of the evidence base supporting the local plan policies dates from 2015 to 2017 (for example housing needs, employment land review, retail studies). As evidence ages so risks increase around the weight to be attached to policies. To reduce the risk of evidence becoming out of date work should start soon on updating the evidence.
 - There are a number of ‘saved’ policies from the previous local plan adopted in 2002. These were not superseded by any policies in the HLP32 and still form part of the development plan for Hart. They will be looked at afresh in a new local plan along with policies in the HLP32.

Changes to local circumstances, such as a change in Local Housing Need

5. The HLP32 has an average annual requirement of 423 homes per annum from 2014 to 2032. This amounts to 7,614 homes over the plan period, comprising:
 - 6,883 homes to meet Hart’s ‘objectively assessed housing need’ (OAHN) identified in the 2016 Strategic Housing Market Assessment, and
 - 731 homes to address an unmet need in Surrey Heath under the duty to cooperate.
6. Hart’s OAHN was derived from the approach set out in the 2012 NPPF.

7. Subsequent changes to the NPPF introduced a new 'standard method' to establish local housing needs - as a starting point for establishing a housing requirement in local plans.
8. A change like this will often trigger a local plan update, but in Hart's case, the current standard method gives a figure of 297 homes per annum, which is lower than the 382 homes per annum OAHN in the HLP32. This change in housing need therefore, did not trigger the need for a new local plan.

The Housing Delivery Test performance

9. In terms of meeting the housing requirement, the local plan has performed very well. The supply of homes in the Local Plan is front-loaded, boosting supply in the first half of the plan period and addressing housing needs early on.
10. By 31 March 2024, a total of 5,603 net new homes had been built, which is 1,373 more than required for that period. Surrey Heath Borough Council has agreed that Hart has already met its commitment to deliver the 731 homes 'unmet need' for the period 2014-2032.
11. The [Housing Delivery Test](#) compares housing delivery over the previous 3 years against the number of homes required over the same period. A score of over 95% is the benchmark for adequate performance where no remedial actions are deemed necessary.
12. Due to its front-loaded housing trajectory the Council has consistently and comfortably passed the HDT since the test was introduced.
13. The [2022 Housing Delivery Test](#) remains the most recent set of results, with Hart achieving a measurement of 207% for the years 2019/20, 20120/21, and 2021/22.

Whether the authority can demonstrate a 5-year supply of deliverable sites for housing

14. The five-year housing land supply considers whether sufficient homes are coming forward over the next five years.
15. Under the current NPPF it is optional to demonstrate a five-year supply if the adopted local plan is less than five years old, and a five-year supply was identified when the plan was examined.
16. The HLP32 was adopted in April 2020 with a five-year land supply. This means policies to protect the countryside are currently up to date.
17. At 1 April 2024, the full Local Plan housing requirement is expected to be delivered over the remaining 8 years of the Plan period, with a surplus of 90 homes.
18. However, the last five years of the Plan Period will start on 1 April 2027. As is normal in the latter stages of a Plan Period, it will be necessary to start work on a new local plan to ensure, through a Plan-led system, that there is a sufficient supply of new homes post 2032 and that from 2028/29 the Council is still able to demonstrate a five-year housing land supply. Given the timescales for preparing a new local plan, preparatory work should start soon.

Whether issues have arisen that may impact the deliverability of key site allocations

19. The key site allocation is Policy SS2—Hartland Village, a large, previously developed site located between Fleet and Farnborough. The vision for the site is a sustainable, well-designed new community with its own sense of place and

identity and facilities to meet local needs. This site is allocated for 1,500 homes, and as set out in the Authority Monitoring Report, it has already delivered 244 homes.

20. There are no issues which are expected to impact upon the delivery of this site.

Appeal performance

21. The HLP32 has been successful at appeal. A specific challenge was made at the [Paynes Cottage appeal](#) (decision 10th January 2024, reference APP/N1730/C/23/3325889) in which all of the HLP32 policies relevant to the appeal were found to be consistent with the NPPF (NBE1 Development in the Countryside, NBE2 Landscape, NBE5 Managing Flood Risk, ED1 New Employment, and ED3 The Rural Economy).

22. As part of the Council's performance management system it reports on performance at appeals. At the end of Quarter 2 of 2024/25 it was reported that:

- Percentage of Major development planning appeals compared with the number of major planning applications determined. (National target is less than 10% over a 2-year period) = 3.5% rolling 2 years figure.
- Percentage of all planning appeals won (includes split decisions and appeals withdrawn) = 62.5%

23. As can be seen the HLP32 is performing well at appeals.

Success of policies against indicators in the Development Plan as set out in their Authority Monitoring Report

24. The Council publishes an Authority Monitoring Report (AMR) each year. The draft for the period up to 31 March 2024 is also on the agenda for the December 2024 Overview & Scrutiny Committee.

25. The AMR shows that the policies in the HLP32 are successful.

The impact of changes to higher tier plans

26. Not relevant to Hart district.

Plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need

27. As already set out, the HLP32 made provision for unmet housing needs from Surrey Heath.

28. The AMR sets out Duty to Cooperate activity with neighbouring Councils. This has not triggered the need for an update to the HLP32.

Significant economic changes that may impact on viability

29. In 2024, the Council commissioned plan-wide viability work as evidence to inform a new Affordable Homes Supplementary Planning Document, which confirmed a positive position on viability.

Whether any new social, environmental or economic priorities may have arisen

30. In April 2021, the Council declared a Climate Emergency. The HLP32 already had a range of policies dealing with adapting to and mitigating the effects of Climate Change. The Council has supplemented this with adopting the Cycle and Car Parking Supplementary Planning Document and the Local Cycling and Walking Infrastructure Plan. However, a new Local Plan would provide the

opportunity to ensure the Climate Emergency was a golden thread throughout the Plan.

Conclusion

31. In summary, work should start on a new local plan for the following reasons:

- To allocated sites for new homes so that a five-year housing land supply can be maintained from 2028/29 onwards.
- Policy H5 Gypsies, Travellers and Travelling Showpeople is out of date.
- To avoid the current evidence base becoming out of date.
- There are a number of [‘saved’ policies](#) from the previous Local Plan adopted in 2002 which should be updated as necessary as part of a new local plan.