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Dear Sir / Madam

## **LEICESTER DRAFT LOCAL PLAN CONSULTATION**

### **Introduction**

Thank you for consulting with the Home Builders Federation (HBF) on the above-mentioned consultation. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing. We would like to submit the following comments to this Draft Local Plan consultation.

### **Duty to Co-operate**

As set out in the 2019 National Planning Policy Framework (NPPF), the Council is under a Duty to Co-operate with other Local Planning Authorities (LPA) and prescribed bodies on strategic matters that cross administrative boundaries (para 24). To maximise the effectiveness of plan-making and fully meet the legal requirements of the Duty to Co-operate, the Council's engagement should be constructive, active and on-going. This collaboration should identify the relevant strategic matters to be addressed (para 25). Effective and on-going joint working is integral to the production of a positively prepared and justified strategy (para 26). The Council should demonstrate such working by the preparation and maintenance of one or more Statements of Common Ground (SoCG) identifying the cross-boundary matters to be addressed and the progress of co-operation in addressing these matters. A SoCG should be made publicly available throughout the plan-making process to provide transparency (para 27).

The National Planning Practice Guidance (NPPG) confirms that a key element of Local Plan Examination is ensuring that there is certainty through formal agreements that an effective strategy is in place to deal with strategic matters when Local Plans are adopted (ID : 61-010-20190315 & 61-031-20190315). The NPPG explains that a SoCG sets out where effective co-operation is and



is not happening throughout the plan-making process (ID : 61-010-20190315). The NPPG also sets out that by the time of publication of a Draft Plan, a SoCG should be available on the Council's website. Once published, the Council should ensure that the SoCG continues to reflect the most up-to-date position of joint working (ID : 61-020-20190315). It is noted that this Draft Local Plan consultation is not accompanied by a SoCG instead the Council state that a SoCG is being prepared (see paras 1.14, 2.16 & 4.6). This is inconsistent with the NPPG.

The Council has identified a local housing need (LHN) of 29,104 dwellings for Leicester and a Housing Land Supply (HLS) of only 21,362 dwellings between 2019 - 2036. The resultant unmet LHN is 7,742 dwellings representing 28.5% of the total LHN, which will be redistributed by agreement with neighbouring District Councils. The quantum of unmet LHN to be met outside of Leicester may change because the deliverability of the Council's HLS has not yet been tested at Examination. Whatever the final quantum, this unmet LHN is arising now and should be addressed as a matter of urgency across the Leicester & Leicestershire (L&L) Housing Market Area (HMA). It is also noted that by setting the plan start date at 2019, the Council has conveniently wiped out any unmet LHN for the period before 2019 when housing delivery was below LHN.

The Joint Position Statement relating to Leicester's Housing & Employment Land published by the L&L authorities seeks to demonstrate that the housing need can be met across the L&LHMA for the periods 2011-31 and 2011 - 36. However, the HLS set out in the Statement relies on an unevidenced allowance for windfall development and an estimated supply for unpublished plans. Furthermore, this document is not a SoCG, the Leicester Local Plan should be supported by an agreed SoCG.

There is a long history of on-going engagement between the L&LHMA authorities but to date there is no conclusive outcome from this engagement in relation to the strategic cross-boundary matter of redistribution of unmet LHN from Leicester, which indicates that this engagement is unconstructive, inactive and forms a unsound basis for plan-making. The L&LHMA authorities have always stated an intention to agree either a Memorandum of Understanding (MoU) or SoCG to address unmet development needs arising across the L&LHMA for the period to 2036. Yet three years after the publication of the 2017 Housing and Economic Development Needs Assessment (HEDNA), which highlighted a significant unmet LHN in Leicester, this intention remains unachieved. The previously signed MoU only committed the L&LHMA authorities to undertake further work and then agree on dealing with any unmet development needs. To date, no MoU or SoCG has included an agreement on how the housing needs of the L&LHMA are going to be met. There is also no indication of a date when an agreed SoCG will be published. In the absence of any commitment to jointly sign the SoCG within a prescribed time period, there is no real commitment at all. There is every possibility that reaching a consensus on meeting Leicester's unmet LHN across the remaining L&LHMA authorities will be a lengthy process. It is unlikely that all authorities will make contributions towards delivery of unmet LHN, for example, Oadby & Wigston

have no capacity to deliver additional housing growth and may even add additional unmet LHN. In a recent Preferred Options consultation, Charnwood declared that it was not meeting any unmet LHN from Leicester City. This forewarns of disharmony between the L&LHMA authorities about where Leicester City's unmet LHN up to 2036 should be distributed.

Before the pre-submission Local Plan consultation, the HBF expects the L&LHMA authorities to produce a SoCG, which sets out precisely where Leicester's unmet LHN of 7,742 dwellings as stated in **Policy SL01** will be met by neighbouring authorities over the plan period 2019 – 2036. An agreed SoCG should confirm that :-

- Each authority will meet its own LHN and a defined amount of Leicester's unmet LHN (except Leicester City itself). This cumulative figure will be the housing requirement figure for each authority respectively ;
- An acknowledgement by the L&LHMA authorities that additional in HLS may be required to ensure deliverability and flexibility ; and
- An agreement that if housing requirement figures materially change due to revisions to the Government's standard methodology for calculating LHN with a consequential impact on the quantum of unmet LHN across the HMA, then a revised SoCG will be agreed within 6 months.

If the strategic matter of meeting housing needs in full is not set out in a signed SoCG, the Council will not have satisfactorily discharged the legal requirements of the Duty to Co-operate and the Local Plan will not be sound. The HBF will submit further comments on the Council's compliance with the Duty to Co-operate in written representations to the pre-submission Local Plan consultation.

### **Local Housing Need (LHN) & Housing Requirement**

As set out in the 2019 NPPF, the determination of the minimum number of homes needed should be informed by a LHN assessment using the Government's standard methodology unless exceptional circumstances justify an alternative approach (para 60). Using the standard methodology as set out in the latest NPPG, the minimum LHN for Leicester is 1,734 dwellings per annum between 2019 – 2036. This calculation is based on 2014 Sub National Household Projections (SNHP), 2019 as the current year and 2019 affordability ratio of 6.83. As set out in the NPPG, the LHN is calculated at the start of the plan-making process but this number should be kept under review and revised when appropriate until the Local Plan is submitted for examination (ID 2a-008-20190220). The minimum LHN for Leicester may change as inputs are variable, which should be considered by the Council. The Government has also confirmed its intention to review the standard methodology. The Government's consultation on Changes to the Current Planning System (ended 1st October 2020) included proposed revisions to the standard method for assessing housing numbers in strategic plans. The Government's current and revised standard methodologies identify the minimum annual LHN, which is only a minimum starting point. This is not a housing requirement figure (ID : 2a-002-

20190220). The Government's objective of significantly boosting the supply of homes set out in the 2019 NPPF remains (para 59).

**Policy SL01. Location of Development** sets out that Leicester City Council will work towards a target of providing a total of 29,104 dwellings over the Plan period from 2019-36 (1,712 dwellings annually) to meet the identified need within the City. Residential development will take place in the Central Development Area (CDA), on five strategic sites and on smaller non-strategic sites elsewhere in the city. The Council will continue to work with authorities within the HMA to agree the spatial distribution of the housing need that cannot be met in the city. About 7,742 homes will be accommodated in the neighbouring districts as part of their housing targets through their Local Plans.

The Council is referred to the HBF comments under the Duty to Co-operate above and the Spatial Strategy & HLS below. The HBF will submit further comments on the Council's LHN & Housing Requirement in written representations to the pre-submission Local Plan consultation.

### **Spatial Strategy & Housing Land Supply (HLS)**

The Local Plan's strategic policies should ensure the availability of a sufficient supply of deliverable and developable land to deliver Leicester's housing requirement. This sufficiency of HLS should meet the housing requirement, ensure the maintenance of a 5 Years Housing Land Supply (YHLS) and achieve Housing Delivery Test (HDT) performance measurements.

The Council's overall HLS should include a short and long-term supply of sites by the identification of both strategic and non-strategic allocations for residential development. Housing delivery is optimised where a wide mix of sites is provided, therefore strategic sites should be complimented by smaller non-strategic sites. The widest possible range of sites by both size and market location are required so that small, medium and large housebuilding companies have access to suitable land to offer the widest possible range of products. A diversified portfolio of housing sites offers the widest possible range of products to households to access different types of dwellings to meet their housing needs. Housing delivery is maximised where a wide mix of sites provides choice for consumers, allows places to grow in sustainable ways, creates opportunities to diversify the construction sector, responds to changing circumstances, treats the housing requirement as a minimum rather than a maximum and provides choice / competition in the land market.

**Policy SL01 : Location of Development** states that residential development will take place in the following locations in the city :-

- 4,905 dwellings in the Central Development Area (CDA) – **Policy CDA03** identifies residential development at Mansfield Street, St. Margarets, Wharf Street, Belgrave Gateway, St. Georges Cultural Quarter & Old Town, **Policy CDA04** identifies residential development

- at Abbey Meadows and **Policy CDA05** identifies residential development in Waterside ;
- 2,594 dwellings on five strategic sites - Western Park Golf Course for 466 dwellings (**Policy SL02**), land east of Ashton Green for 660 dwellings (**Policy SL03**), land north of the A46 Bypass for 611 dwellings (**Policy SL04**), land west of Anstey Lane for 325 dwellings (**Policy SL05**) and the Leicester General Hospital Site for 532 dwellings (**Policy SL06**) ; and
- 1,486 dwellings on smaller non-strategic sites elsewhere in the city under **Policy Ho01 : Housing Allocations** (circa 63 sites listed in Appendix 5).

The Council's overall HLS of 21,362 dwellings is set out in Table 1, which comprises of :-

- 9,827 dwellings from existing commitments (up to 31 March 2019) ;
- 4,905 dwellings in CDA ;
- 2,594 dwellings from proposed strategic allocations ;
- 1,486 dwellings from proposed non-strategic allocations ; and
- 2,550 dwellings (150 dwellings per annum) from windfall sites.

There is limited information available from which to assess the robustness of the Council's overall HLS. Before the pre-submission consultation, the Council should set out in detail its assessment of the capacity of the CDA and confirm that there is no overlap with existing commitments. The Council should also clarify the lapse rate applied to existing commitments. The Council should robustly evidence that 4,905 dwellings can be accommodated in the CDA without reverting to an overly ambitious intensification of dwellings in the CDA. Furthermore, the deliverability of residential development in the CDA will be dependent upon the viability of brownfield sites and the demand for high density city centre living post Covid-19.

The soundness of strategic and non-strategic site allocations will be tested in due course at the Local Plan Examination. The HBF would not wish to comment on individual sites proposed for allocation but it is noted that the Council has provided no data on a site by site analysis of the deliverability of individual site allocations. Our responses are submitted without prejudice to any comments made by other parties but it is critical that the Council's assumptions on lapse rates, non-implementation allowances, lead in times and delivery rates contained within its overall HLS, 5 YHLS and housing trajectory are correct and realistic. These assumptions should be supported by parties responsible for delivery of housing and sense checked by the Council.

As set out in the 2019 NPPF at least 10% of the housing requirement should be accommodated on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target (para 68a). For Leicester, 10% of 21,362 dwellings is 2,132 dwellings however only 1,486 dwellings are proposed on non-strategic sites and information set out in Appendix 5 indicates that some

of these sites will be more than 1 hectare. The Council should ensure that the Local Plan is consistent with 2019 NPPF.

National policy only permits an allowance for windfall sites if there is compelling evidence that such sites have consistently become available and will continue to be a reliable source of supply (para 70). The Council should confirm that in the future **Policy Ho02 : Housing Development on Unallocated Sites** and **Policy DQP05 : Backland, Tandem & Infill Development** will not impede windfall sites from coming forward at the same rate as past delivery. It is also noted that the windfall allowance of 150 dwellings per annum is applied from Year 1 in the housing trajectory, this is likely to lead to double counting between windfalls and existing commitments. A windfall allowance should only be applied from Years 3 or 4 onwards.

**Policy Ho01 : Housing Allocations** refers to a Site Allocations document. The Council should clarify the status of this document.

**Policy Ho05 : Housing Densities** expects a density of 50 or more dwellings per hectare in the CDA and a minimum of 30 dwellings per hectare in the rest of the city to be met. The setting of residential density standards should be undertaken in accordance with the 2019 NPPF (para 123), whereby in the circumstances of an existing or anticipated shortage of land for meeting identified housing needs then a minimum net density in suitable locations such as town centres and those benefiting from good public transport connections may be appropriate. An inflexible two-tiered approach to housing density across the city is unlikely to provide a variety of typologies to meet the housing needs of different groups. A range of density standards specific to different areas of the city is necessary to ensure that any proposed density is appropriate to the character of the surrounding area. Housing mix and density are intrinsically linked and the inter-relationship between density, house size (any implications from the introduction of optional space and accessible / adaptable homes standards), house mix and developable acreage should be considered holistically in viability assessment testing.

The 2019 NPPF sets out that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period and if appropriate to set out the anticipated rate of development for specific sites (para 73). The **Housing Trajectory** in **Appendix 1** is not very detailed. The housing trajectory is only provided for four categories of development namely commitments, CDA, non-CDA and windfalls. This is insufficient detail to fulfil any monitoring function. Before the pre-submission Local Plan consultation, a detailed housing trajectory including for specific sites should be inserted into Appendix 1.

Before the pre-submission Local Plan consultation, the Council should prepare and publish an up to date 5 YHLS Report. If the Council cannot demonstrate 5 YHLS on adoption of the Local Plan, the Plan could not be found sound.

The HBF will submit further comments on HLS in written representations to the pre-submission Local Plan consultation.

### **Deliverability & Viability**

In plan-making, viability is inseparable from the deliverability of development. As set out in the 2019 NPPF, the contributions expected from development including the level and types of affordable housing provision required and other infrastructure for education, health, transport, flood & water management, open space, digital communication, etc. should be set out in the Local Plan (para 34). As stated in the 2019 NPPF, development should not be subject to such a scale of obligations that the deliverability of the Local Plan is threatened (para 34).

Viability is a key issue in determining the soundness of the Local Plan at Examination. For the Council's information, the HBF Local Plan Viability Guide is attached. This guidance puts forward issues that must be addressed to ensure that sites come forward for development and Local Plans are deliverable. Without a robust approach to viability assessment, land will be withheld from the market and housing delivery will be threatened, leading to an unsound Local Plan and housing delivery targets not being met. The Council is referred to the Common Concerns Boxes in the HBF Guide. Viability assessment should not be conducted on the margins of viability. This will be particularly important in the aftermath of uncertainties caused by the Covid-19 pandemic and Brexit.

The viability of individual developments and plan policies should be tested at the plan making stage. The Council's viability testing should assess the cumulative impact of affordable housing provision (Policy Ho04), policy compliant standards (including, but not limited to, Policies Ho07, T08 & NE02) and any other contributions so that there is sufficient incentive for a landowner to bring forward land for development. Viability assessment is highly sensitive to changes in its inputs whereby an adjustment or an error in any one assumption can have a significant impact on the viability of development. If the resultant Benchmark Land Value (BLV) is lower than the market value at which land will trade, then the delivery of housing targets will not be met.

Before the pre-submission Local Plan consultation, the Council should prepare and publish a whole plan viability assessment. The HBF will submit further comments on viability in written representations to the pre-submission Local Plan consultation.

### **Housing Policies**

#### **Policy Ho04 : Affordable Housing**

On all major schemes on greenfield sites, the Council will seek to achieve 30% affordable housing provision.

As set out in the 2019 NPPF, all policies should be underpinned by relevant and up to date evidence, which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned (para 31). The 2017 HEDNA identified an affordable housing need of 734 dwellings per annum representing 42% of Leicester's overall LHN. It is understood that the affordable housing need assessment will be updated (see para 2.15). Furthermore, the Council has published no assessment testing the viability of this policy. The HBF will submit further comments on Policy Ho04 and its supporting evidence (including updated affordable housing need & Viability Assessment) in written representations to the pre-submission Local Plan consultation.

### **Policy Ho07 : Internal Space Standards**

All proposals for new dwellings must meet the Nationally Described Space Standard (NDSS) as a minimum.

If the Council wishes to apply the optional NDSS to new build dwellings, then this should only be done in accordance with the 2019 NPPF (para 127f & Footnote 46). Footnote 46 states that "*policies may also make use of the NDSS where the need for an internal space standard can be justified*". As set out in the 2019 NPPF, all policies should be underpinned by relevant and up to date evidence, which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned (para 31). The NPPG sets out that "*where a need for internal space standards is identified, the authority should provide justification for requiring internal space policies. Authorities should take account of the following areas need, viability and timing*" (ID: 56-020-20150327). Before adopting the NDSS, the Council should provide a local assessment evidencing the case for Leicester.

The NDSS should only be introduced on a "need to have" rather than a "nice to have" basis. Need is generally defined as "*requiring something because it is essential or very important rather than just desirable*". The identification of a need for the NDSS should identify the harm caused or may be caused in the future. If it had been the Government's intention that generic statements simply stating in some cases the NDSS had not been met justified adoption of the NDSS then the standard would have been incorporated as mandatory in Building Regulations, which is not the case.

There is a direct relationship between unit size, cost per square metre, selling price per metre and affordability. The Council should recognise that customers have different budgets and aspirations. The introduction of the NDSS for all dwellings may lead to customers purchasing larger homes in floorspace but with bedrooms less suited to their housing needs. This may lead to the unintended consequences of potentially increasing overcrowding and reducing the quality of their living environment. Non-NDSS compliant dwellings may be required to ensure that those on lower incomes can afford a property, which meets their bedroom requirements. An inflexible policy approach to NDSS for all new dwellings will impact on affordability and effect customer choice for



affordable homeownership products such as First Homes. It is noted that para 5.37 sets out a more flexible approach but this is not reflected in the actual policy wording.

The Council should assess any potential adverse impacts on meeting demand for First Homes and other affordable homeownership products, which may affect delivery rates of sites included in the housing trajectory. The delivery rates on many sites will be determined by market affordability at relevant price points of dwellings and maximising absorption rates. An adverse impact on the affordability may translate into reduced or slower delivery rates.

If the proposed requirement for NDSS is carried forward, then the Council should put forward proposals for transitional arrangements. The land deals underpinning residential sites may have been secured prior to any proposed introduction of the NDSS. These sites should be allowed to move through the planning system before any proposed policy requirements are enforced. The NDSS should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.

Before the pre-submission Local Plan consultation, the Council should re-consider its requirement for NDSS. The HBF will submit further comments on this policy and its supporting evidence (not currently available) in written representations to the pre-submission Local Plan consultation.

## **Other Policies**

### **Policy VL01 : Presumption in Favour of Sustainable Development**

The 2019 NPPF confirms that Local Plans should avoid unnecessary duplication including repetition of policies in the NPPF itself (para 16f). The presumption in favour of sustainable development is clearly set out in the 2019 NPPF (para 11). In attempting to repeat national policy in **Policy VL01**, there is a danger that some inconsistencies creep in and lead to small but critical differences between national and local policy causing difficulties in interpretation and relative weighting.

**Policy VL01** is unnecessary. Before the pre-submission Local Plan consultation, it should be deleted.

### **Policy DQP01 : Design Principles**

Under Bullet Point 8a of **Policy DQP01**, all proposals for ten or more dwellings, should demonstrate, through a design statement, how they have been designed to meet Building for Life 12 standards.

The Council's policy approach to high quality design should accord with the 2019 NPPF, the latest NPPG and the National Design Guide. The HBF is supportive of the use of best practice guidance. The Council should note that Building for Life 12 has been superseded by Building for a Healthy Life. The Council should signpost such guidance in its supporting text rather than in policy

wording. The use of Building for a Healthy Life should remain voluntary rather than becoming a mandatory policy requirement.

### **Policy T02 : Climate Change and Air Quality**

Under **Policy T02**, the increased uptake of low emission vehicles will be achieved by requiring new development to make provision for electric and low emission vehicles.

### **Policy T08 : Supporting Low Emission Vehicles**

Under **Policy T08**, the use of low emission vehicles will be supported by seeking the provision of Electric Vehicle Charging Points (EVCPs) in at least 5% of all parking spaces and additional ducting and cabling that will allow 25% of parking spaces to have electric vehicle charging points to be installed at a future date.

The HBF recognise that electric vehicles will be part of the solution to transitioning to a low carbon future but there are practical and financial challenges. The supply from the power grid is already constrained in many areas across the country. The HBF and its Members have serious concerns about the capacity of the existing electrical network in the UK. Major network reinforcement will be required across the power network to facilitate the introduction of EVCPs and the move from gas to electric heating as proposed under the Future Homes Standard. The cost of infrastructure reinforcement and additional sub stations should be considered in the Council's Viability Assessment. These costs can be substantial and can drastically affect the viability of developments. If developers are funding the potential future reinforcement of the National Grid network at significant cost, this will have a significant impact on their businesses and potentially jeopardise future housing delivery.

The physical installation of fixed EVCPs is not necessary. The evolution of this automotive technology is moving quickly therefore a cable and duct approach is a sensible and future proofed solution, which negates the potential for obsolete technology being experienced by householders. A cable and duct only approach means that the householder can later arrange and install a physical EVCP suitable for their vehicle and in line with the latest technologies.

The Department of Transport consultation on Electric Vehicle Charging in Residential & Non-Residential Buildings (ended on 7<sup>th</sup> October 2019) set out the Government's preferred option to introduce a new EVCP requirements under Part S of the Building Regulations. The inclusion of these requirements within the Building Regulations will introduce a standardised consistent approach to EVCPs in new buildings across the country. The Government's proposals for changes to Part S of the Building Regulations will make the respective Bullet Points in **Policies T02** and **T08** redundant. Before the pre-submission Local Plan consultation, the Council should re-consider these policies and respective Bullet Points should be deleted.

## **Policy T07 : Car Parking**

**Policy T07** states that in new development, the level of parking provided should be in accordance with the standards set out in the Supplementary Planning Document (SPD) on “Parking Standards”.

The Regulations are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in policy in the Local Plan. In **Policy T07**, the Council is carrying forward its car parking requirements in an SPD. The Council’s approach gives Development Plan Document (DPD) status to a document, which is not part of the DPD and has not been subject to the same process of preparation, consultation and examination. This is not compliant with the Regulations.

National policy clearly defines the scope and nature of an SPD in the planning process as providing more detailed advice and guidance on adopted Local Plan policies. The NPPG confirms that an SPD cannot introduce new planning policies nor add unnecessarily to the financial burdens on development (ID: 61-008-20190315).

To ensure a policy is effective, it should be clearly written and unambiguous so it is evident how a decision maker should react to development proposals. **Policy T07** should clearly set out the Council’s proposed parking standards in sufficient detail to determine a planning application without relying on, other criteria or guidelines set out in a separate SPD. The Council should not be relying on the “Parking Standards” SPD as the principal basis for introducing parking standards.

The Council’s approach is not soundly based. Before the pre-submission Local Plan consultation, the Council should re-consider its fundamentally flawed policy approach. The HBF will submit further comments in written representations to the pre-submission Local Plan consultation.

## **Policy NE02 : Biodiversity Gain**

Under **Policy NE02**, major developments will be permitted where :-

- An overall net gain in biodiversity commensurate with the size and scale of development, has been sought ;
- b) The design of the new development, including landscape, enhances retained habitats and provides new areas and opportunities for wildlife, wherever possible ; and/or
- c) The size, location, creation, establishment, and long-term aftercare of off- site biodiversity compensation and enhancement has been agreed with the Council.

It is the HBF’s opinion that the Council should not deviate from the Government’s proposals on biodiversity gain as set out in the Environment Bill.

There are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council's viability assessment. The Government has confirmed that more work needs to be undertaken to address viability concerns raised by the housebuilding industry in order that net gain does not prevent, delay or reduce housing delivery. In the Environment Bill, the Government will make provision to set a transition period of two years. The Government will work with stakeholders on the specifics of this transition period, including accounting for sites with outline planning permission, and will provide clear and timely guidance on understanding what will be required and when.

### **Strategic & Non-strategic Policies**

Under **Chapter 19 : Neighbourhood Planning**, it is noted that Table 8 lists 23 policies that do not need to be taken into account when preparing Neighbourhood Plans. The 2019 NPPF states that Local Plans should make explicit which policies are strategic and non-strategic policies should be clearly distinguished from strategic policies (para 21 & Footnote 13). The HBF suggest that a new Appendix is inserted into the pre-submission Local Plan, which identifies strategic and non-strategic policies.

### **Conclusions**

For the Leicester Local Plan to be found sound under the four tests of soundness as defined by the 2019 NPPF (para 35), the Local Plan must be positively prepared, justified, effective and consistent with national policy. It is hoped that the HBF's comments will assist the Council in its next stages of plan making. The HBF look forward to submitting further representations during the Local Plan pre-submission consultation. If any further information or assistance is necessary, please contact the undersigned.

Yours faithfully  
for and on behalf of **HBF**



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