

Good Plan Making Guide

Plan Making Principles for Practitioners

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Overview

- 0.1 The Planning Advisory Service (PAS) has been helping local authorities with their plan-making, sometimes working in partnership with the Planning Inspectorate. Based on this experience, this PAS Good Plan Making Guide identifies key principles for successful plan making and highlights some of the core tasks that will need to be undertaken to develop your local plan. The principles are:

Principle 1: Define a locally relevant spatial vision and objectives for the area

Principle 2: Start with a clear understanding of what your local plan must cover to address the critical issues in your area

Principle 3: Develop a realistic project plan for preparing the local plan

Principle 4: Integrate the sustainability appraisal with each stage of the plan making process

Principle 5: Develop and implement an effective engagement strategy for the preparation of the plan

Principle 6: Develop a relevant and robust evidence base for housing and other topics

Principle 7: Ensure you identify strategic issues and address any cross-boundary impacts. This will help you demonstrate how you have met the duty to cooperate

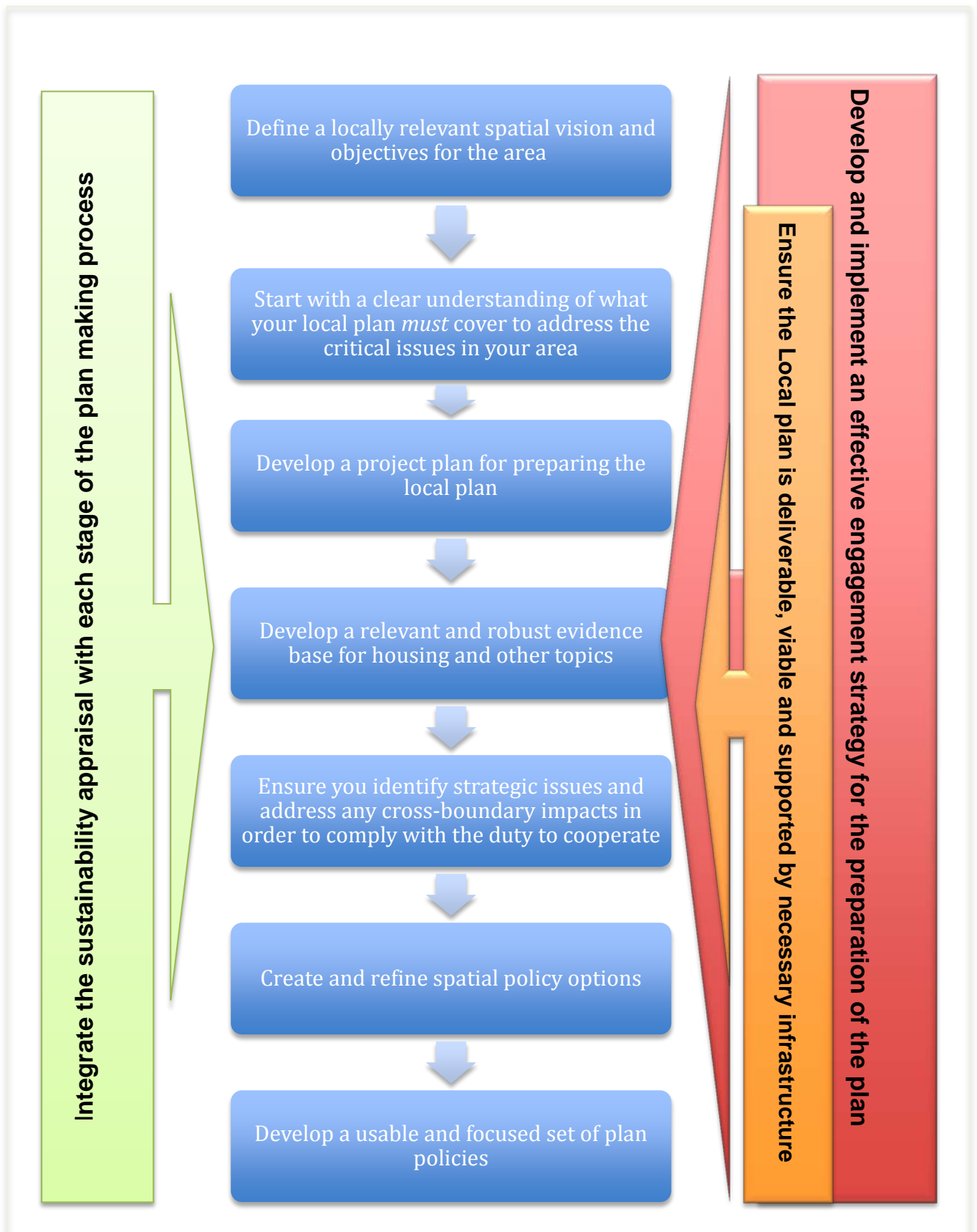
Principle 8: Create and refine realistic spatial policy options

Principle 9: Develop a usable and focused set of plan policies

Principle 10: Ensure the local plan is deliverable, viable and supported by necessary infrastructure

- 0.2 The Guide has been divided up into 10 sections dealing with each of the principles in turn. But in practice the tasks associated with each principle will often be undertaken in parallel and iteratively as illustrated in the diagram below.
- 0.3 These 10 principles are reflected in the National Planning Policy Framework (NPPF). The NPPF also identifies the tests used by the Planning Inspectorate, to examine whether a local plan can be considered sound. The ‘soundness’ test for plans are that the local plan must be:
- positively prepared (i.e. having regard to objectively assessed needs)
 - consistent with national policy (i.e. interpreting the NPPF at the local level)
 - justified (i.e. through the exploration of alternatives) and
 - effective (i.e. deliverable).
- 0.4 PAS has also developed a ‘Soundness Self Assessment Checklist’. This checklist complements this Guide and is a tool to ensure you have followed procedures and produced relevant local plan documents.

Principles of Good Plan Making



Principle 1: Define a locally relevant spatial vision and objectives for the area

Guide Questions

- What is the broad philosophy of the plan? For example where is it pro-growth and if relevant where is it conservation-led?
- Does the vision reflect the broader context of the council and form a reasonable basis for plan objectives?
- Have there been early discussions with neighbouring authorities on the strategic context of the plan and fulfilling the demands of the duty to co-operate?

- 1.1 The local plan must contain a vision which should be aspirational but realistic. It should set out the intended character of the plan area, based on current trends and trajectory of key data such as that related to population and economy. Objectives should flow from the vision, establishing the way in which the plan area will deal with the identified critical issues. Together, these should be clear, realistic, locally distinctive and spatial in planning terms.
- 1.2 The vision and objectives should be based on a sound understanding of the form and function of the plan area. Community involvement should be central to developing the vision and also draw upon various other sources including past plans, sustainability work being undertaken alongside the plan and stakeholder involvement. In addition, under the duty to co-operate, the NPPF (paragraph 181) requires a continuous process of engagement with other relevant authorities from initial plan development through to implementation. Early engagement on issues of mutual importance and the objectives that relate to these should help to shape the plan.
- 1.3 Developing a vision for the local plan involves looking ahead to what your area will be like in 15-20 years' time, and may include some or all of the following elements:
 - A direction of travel as to how the plan area will evolve.
 - The general location of where development will take place and where it will not.
 - What the nature of development activity should be in key parts of the plan-area.
 - How levels and types of development will be accommodated, both within the short and long term, in specific areas, such as town centres, and in the most sustainable way.

- Reference to the wider context of the plan area, introducing the importance of links to and co- operation with neighbouring authorities.
- 1.4 Generalised aspirations, such as 'we want to be a first class place where people choose to live, work and visit' are not locally specific and don't communicate how a difference can be made through the plan. Using the evidence, including settlement studies and area profiles, and findings from engagement activities to develop a spatial vision will help avoid this. These questions may help to guide the evolution of the vision and test its validity:
- Does the vision reflect council and community priorities?
 - Does the vision describe your area as opposed to anywhere?
 - Do you get a clear sense of what the place will be like in 20 years time?
 - Can you translate this into planning policy and outcomes that can be delivered?
 - Is it clear where change will happen in economic, physical and social terms?
 - Is it concise and easy to understand?
 - How will you measure success of achieving the vision?
- 1.5 You may need to refine the spatial vision as the options for the local plan are developed and refined.
- 1.6 The objectives should flow from the critical issues you have identified and support the delivery of the spatial vision. A useful starting point is to specifically define the problems you are trying to solve. This will stem from quantitative data for example, pollution levels, housing need, and qualitative data for example, other council priorities, things that are important to communities. The objectives for what the plan should deliver should address these critical issues; these will be your strategic priorities for the area. Focus on these priorities; you don't need an objective for everything. For example, there is little need for an objective on tourism if the area is not one where tourism is important.
- 1.7 The number of objectives should be manageable in order to guide key areas of the plan development. About 10 to 20 strategic objectives is typical of most plans and you should be able to express your strategic objectives in fewer than 20 points. Your objectives should be locally specific and try to:
- identify how national policy influences your priorities and objectives.
 - reflect documents setting out wider corporate priorities and planning objectives of neighbouring areas where relevant.
 - explore the compatibility of plan objectives with wider sustainability objectives from your sustainability appraisal work.
- 1.8 When asking 'what is the plan going to achieve?' centred on high level objectives ('healthier, more prosperous, greener, safer') or more tangible objectives ('regeneration of the town centre capitalising on the tourism trade'), use your evidence to help establish a baseline for change. This

baseline evidence can then be used to help develop and test objectives and the options that flow from them.

Further Information

[PAS Guide to Strategic Planning and the Duty to Co-operate](#)

Frequently Asked Questions

No questions have been received on this topic yet. Do you have a question about defining your spatial vision or developing objectives?



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Principle 2: Start with a clear understanding of what your local plan *must* cover to address the critical issues in your area

Guide Questions

- What are the key issues that the National Planning Policy Framework requires your local plan to address?
- What are the difficult questions about the where and when of development that will need to be answered?
- What is the context within which the plan is being developed, as measured by housing supply, volume of applications and appeals, for example?

- 2.1 A successful plan will make clear what development is going to be delivered and when, where and how. The critical issues and decisions that need to be made in relation to this will define the scope of the plan. These issues – along with any national policy requirements that the plan must address - should be identified and acknowledged as early as possible in the local plan making process and must be addressed as part of its preparation.
- 2.2 Many soundness problems arise from a failure to properly answer the crucial questions of when, where and how development will be delivered; National Planning Policy Framework (NPPF), paragraphs 154, 156, 157 are relevant. Clear answers to these questions and an unwavering focus on the critical local issues that will shape the answers will lead to a deliverable and worthwhile plan. A lack of focus on these matters will inevitably lead to overly descriptive plans, generic statements and vague aspirations that could apply anywhere –and the likelihood of your plan being found unsound.
- 2.3 As well as reflecting the presumption in favour of sustainable development, the local plan must seek to meet the objectively assessed development and infrastructure needs of the area. This can't be emphasised strongly enough and must be your starting point. This could include unmet needs of neighbouring authorities, where it is reasonable to do so and consistent with achieving sustainable development. Understanding your need comes before looking at supply, which may be constrained by various factors. But you must demonstrate what your objectively assessed need is, before you then consider how you will meet it.
- 2.4 If you choose to define a housing target (or other area of need) at the lower end of the range of evidence, expect the Inspector to scrutinise your

evidence closely. There are quite a few plans that have been found to be lacking in this regard lately, and Inspectors have advised that authorities go back and re-look at both the evidence and the conclusions on need. If you have identified the need, but the plan isn't meeting it, you will have to demonstrate how the harm caused by not meeting the need is outweighed by the harm caused by meeting it. Any restrictive policies, which may be preventing identified need from being met, will need to be justified on the basis of national priorities and the NPPF, such as limiting development in National Parks and Areas of Outstanding Natural Beauty.

- 2.5 The critical local issues should be reflected in the objectives and strategies to address them should be part of the plan. Delaying addressing critical issues by the promise of preparation of later Development Plan Document without proper justification is a dangerous approach. In addition, although the NPPF does not preclude the production of additional Development Plan Documents, where justified, a single plan approach is favoured (paragraph 153 of the NPPF).
- 2.6 Similarly, side stepping these critical issues by using Supplementary Planning Documents (SPDs) could also result in the plan being found unsound. An SPD cannot provide policies for development and use of land or allocate sites or designate areas such as areas of change or conservation.
- 2.7 So what are these critical issues? These of course depend on your planning area and the particular challenges faced. These are typically those matters that lead to sharp intakes of breath when discussed with your councillors, impassioned speeches by community leaders and are often the matters on which community views are most polarised. Some common crunch issues - alongside meeting housing need – are gypsy and traveller provisions, waste plans and green belt.
- 2.8 Your plan must allocate land for housing: it is part of the authority's responsibility to do this, notwithstanding the state of the property market. If the housing industry does not build enough homes, a lack of allocated sites shouldn't be one of the reasons why. A shortage of deliverable sites is contrary to NPPF paragraph 47. Where it is not possible to identify sites for development in the longer-term (i.e. six or more years away) broad locations for future growth should be identified in the plan (NPPF, paragraphs 47 and 157).
- 2.9 Your plan must also address Gypsy and Traveller needs. The Planning Policy for Traveller Sites, published at the same time as the NPPF, sets out similar requirements for sites as the NPPF does for housing, with the addition of criteria based policies for the assessment of decisions (paragraphs 9 to 11).
- 2.10 The best approach is to do Gypsy and Traveller policies alongside your other ones. Some authorities have undertaken a specific Gypsy and Traveller site Development Plan Document at a later date following an assessment of need. Although this *may* be an acceptable approach much will depend on

the urgency and level of need for sites in the area. The Examiner will seek a commitment to address the needs of Gypsies and Travellers within an appropriate time scale. In the absence of allocated sites, a realistic criteria based policy will be required. If neither site allocations nor a criteria based policy is provided you will be vulnerable on appeal.

- 2.11 You may also need to deal with possible changes to the Green Belt within your area. These changes can be justified in exceptional circumstances. These are for you to determine and justify in the light of local considerations. Make sure there is consistency with the local plan strategy for meeting identified requirements for sustainable development. Some authorities are considering green belt reviews to help meet their housing need. If a review is necessary the revised boundary should take account of the settlement policy being followed and the need to define a permanent boundary for the long term, beyond the plan period (NPPF paragraph 83). You will also need to address any representations that development needs constitute exceptional circumstances and any evidence being advanced in light of paragraph 85 of the NPPF. You cannot and should not simply rely on the acknowledged importance of permanent Green Belts.
- 2.12 Sometimes minor adjustments to remove boundary anomalies are needed in order to maintain the integrity and logic of the Green Belt boundary. These anomalies may, for example, have arisen because of changed patterns of development. Whether such small-scale changes are needed is, like more significant changes, a matter for the authority to consider. However, any proposed changes, large or small, need to be shown in map form (preferably inset maps) so that anyone wanting to make representations knows precisely where the proposed boundary is located. This also applies to any proposed boundary changes, not just to those relating to the Green Belt.
- 2.13 You will also need to ensure that they have adequate policies on proposals for waste treatment, addressing: what waste management developments and facilities are required and where, when and how they will be delivered. Planning for waste should be treated in the same way as planning for any other type of development.
- 2.14 Waste planning should both inform and in turn be informed by any relevant municipal waste management strategy. In many instances waste planning involves cross boundary issues, so it is important to get a co-ordinated approach from the authorities involved. This extends to consideration of plan impacts on those areas that will be the recipients of waste streams or impacted by waste transfers. The need for agreement with such authorities is vital. Failure to address this and demonstrate the duty to cooperate has already led to an Examination on a joint waste plan being halted at the start of an Examination hearing.
- 2.15 Some waste plans have failed to give sufficient geographical direction to enable planning applications to be determined on a plan led basis. Identification of a very extensive area does not provide adequate guidance for subsequent site allocation Development Plan Documents, nor does it

help any private sector organisation seeking to develop a site through the planning application route.

- 2.16 The issues and key questions arising from practice and examination of waste plans are:
- **Procurement and land ownership** – to what extent should waste plans take account of procurement matters and the availability of sites already owned by the waste operators?
 - **Baseline information about waste streams** – what waste is currently generated by the various waste streams, how is it managed and what factors are likely to influence the quantities and types of waste and facilities over the plan period?
 - **Predicting demand and devising a strategy** - uncertainties need to be acknowledged. They can be dealt with by reasoned assumptions based on what *is* known, which can then be monitored and the plan adjusted if necessary.
- 2.17 The European Union Waste Framework Directive is relevant and requires waste plans to “include a geographical map specifying the exact location of waste disposal sites or facilities, or locational criteria which are sufficiently precise to enable the permitting authority to determine whether or not the site or facility falls within the management framework provided by the plan.” Avoid producing generalised and vague waste plans. It is important to be explicit about site allocations criteria – and justifications for sites that have been allocated or areas of search.
- 2.18 The whole point of the local plan is to address the critical spatial planning issues affecting your authority area as far as possible even when they raise uncomfortable questions for your authority.

Further Information

[Soundness Self-Assessment Checklist](#)

[PAS Duty to Cooperate – on-site support](#)

[Gypsy and Traveller national awareness training](#)



Frequently Asked Questions

Q: When moving to a composite local plan, what is the best way of pulling this together in terms of presenting this for consultation and representations on things that aren't changing? How do you present the big issues and options for this new style plan?

A: You need to consider the language of consultation. You need to lead people towards what you are changing. Consider how you tell the story. The NPPF does allow for partial reviews. Where you are not proposing to change policies you need to be satisfied you have relevant and up to date evidence underpinning them. It is not the date per se that drives this, but whether it is still fit for purpose. Neighbourhood plans need to be taken account of when doing the local plan, but don't trump the need for a strategic review. The local plan does take precedence. PINS advocates a pragmatic and sensible approach to be taken with regard to what evidence you submit. There is no need to re-submit core strategy evidence for a subsequent plan but it is likely to be in the document library.

Q: Should we produce an 'Allocations and Designations Development Plan Document', or move to a whole local plan review. If carrying out a whole local plan review, what is the starting point?

A: The NPPF expects that in most cases one overall local plan will be produced. Consider the age of the Core Strategy (and any other adopted Development Plan Documents), particularly with reference to the NPPF. Was it adopted pre-NPPF? If so, are you satisfied that it is not in conflict with the policies in the NPPF?

The evidence base for the withdrawn core strategy can be reused where it is still up to date as well, so it does not mean everything has to be thrown out. You can produce separate plans but there should be good reasons why you are not producing a single plan document.

There is a careful balance to be struck between the advantages of going through to examination on an allocation Development Plan Document, compared with devoting time and effort as soon as possible to an overall review of the strategy in co-operation with neighbouring authorities, as necessary. This is especially true where the allocations Development Plan Document is based on a core strategy that does not meet objectively assessed needs as defined in the NPPF. This may be one based on the Regional Strategy housing figure, and so may not fully address the current five year supply.

Councils are advised to have very clear, well substantiated reasons why continuing with a separate Development Plan Document is the right approach in the local circumstances and would best contribute to the achievement of NPPF's aims. If it were being used as a way of avoiding difficult decisions it is unlikely to be acceptable.

Q: Can a plan be submitted that just took forward development management policies and not site allocations, even though currently they form part of the same draft plan?

A: The Council would be at liberty to do this but should consider if this is the best option in terms of priorities, time, cost etc and the work that has already been done on site allocations.

- See more at: <http://www.pas.gov.uk/pm-q-a-plan-making#sthash.GSIQnqtp.dpuf>

Q: For plans at different stages, timing can be an issue. Can partial reviews be the answer to help manage this?

A: Partial reviews are possible (based only on your own plan area). However, if you do your own review, and then a neighbouring council carries a review which later shows you need to do more, then their more recent review may render your plan out of date.

Q: How can you decide what to review in a plan? If there is a change in political administration, this may lead to a desire to change certain policies. Can these be targeted?

A: There is PINS guidance on the Planning Portal about carrying out 'fast track' reviews of plans http://www.planningportal.gov.uk/uploads/pins/local_plans/discrete_policy_review_guidance.pdf If there is a political driver in reviewing certain aspects of the plan, then that is clearly your starting point. However, you should also ask yourself some key questions: How will what we change affect the rest of the plan? Will the changes lead to a significant alteration of the overall strategy? Will we have to carry out Sustainability Appraisal on the changes? If we are not revising the housing requirement, can we justify this? In other words, do we know what our objectively assessed need is? How are we using monitoring to help us understand whether other policies require updating or revising? Do we have a 5-year land supply?

Q: When does a plan/policy become out of date? Is it the age of the plan/policy, or is it a change in circumstances on the ground, rendering the plan/policy out of date? What if a plan makes provision for a food store in a town, but a food store is subsequently built on a different site within the town? Is the allocation of the land for the food store still up to date, given the town now has a food store?

A: The issue here is that different pieces of evidence, on which every plan is made, will become out of date at different times. There will also be some 'triggers' which may make all plans potentially out of date (such as a shift in national planning policy). So a landscape character assessment is likely to remain up to date far longer than a strategic housing market assessment (Strategic Housing Market Assessment). This is because the data on which the evidence relies will be updated

more regularly. A key case in point is the emergence of new Census data, and all the household and population projections that follow on from it. Strategic Housing Market Assessment will need to be benchmarked against updated projections, when they come out irrespective of the date of the assessment.

The key consideration in determining whether a change in circumstance would render a whole plan (or policy) out of date is the impact of that change on the strategy as a whole, or the policy in particular. In the example, if the reason for the town having an allocation for a food store is to meet some strategic policy (say, ensuring the town retains a position in the hierarchy, and/or is made more sustainable/competitive), then the ultimate choice of one site over another in the town is unlikely to affect the strategy. It may well render the specific allocation policy out of date, but even that would depend on the evidence, and whether the town could in fact sustain more than one food store. In any event, if policies are failing to be applied, or are rendered obsolete, the authority should pick this up in monitoring. In every case, it is the evidence behind the policy that is crucial in determining its continued relevance.

Q: When working on a sites and policies/allocation Development Plan Document to deliver housing sites, is the figure adopted in Core Strategy (from Regional Strategy) is still appropriate? Can the figure be challenged again now?

A: The situation is changing as time moves on and the NPPF beds in. However, you are likely to be challenged if the evidence behind the core strategy figure is now out of date. As the hierarchy of plans has now gone, you are able to revise your overall housing requirement in an allocations Development Plan Document. However, you would have to understand the impact of this on the adopted core strategy, and also ensure all evidence, particularly Sustainability Appraisal, is up to date. Further engagement on any changes to the strategy would also have to be undertaken.

Q: In some areas, the Regional Strategy suppressed growth to boost delivery in the Metropolitan/growth areas. If progressing the sites and policies Development Plan Document is considered the quickest way of getting housing delivered, can this be supported in the light of the suppressed Regional Strategy figure? In the short term, can we use an interim strategy statement, retaining the Regional Strategy figure?

A: The appropriateness of an interim strategy statement is dependent on local circumstances. It is also worth noting that the NPPF allows for a partial review of a plan but in general favours a comprehensive local plan approach.

There is a need for cooperation across the region. Authorities in this situation also need to address whether they have a contingency until strategic issues are bottomed out. This could include having additional sites available to assist in maintaining a 5-year supply.

Q: Can a local plan be prepared without development limits and allocations? In a rural area with low delivery rates, can we use settlement development limits and an understanding of the hierarchy of all settlements to direct development?

A: There is a risk to the delivery of the plan if there are no allocations and there is no work to demonstrate where there is developable and deliverable land. If there are no suitable sites to allocate, you will need to be clear how you are delivering the housing required. This must be identified through your work on objectively assessed needs. Settlement boundaries and robust criteria may well be enough. However, criteria based policies must be realistic. There may be a role for neighbourhood plans in this scenario. The local plan would set the strategy, and neighbourhood plans would deliver the detail in the settlements. It is important to set out what the overall strategy is in terms of sharing out the growth around the district (whether it be by applying a settlement hierarchy, with percentages of growth anticipated at each, or other means). This must be fully evidenced.

Q: When should you carry out a green belt review?

A: If you are looking to review your green belt, you should attempt to consider it within the context of its' strategic role, rather than just for your authority. That said, if a joint review is not possible or practical, you should consider agreeing a joint methodology, so that any alterations are being made on a consistent basis.

Q: Can you carry out a partial review if you know there is a suitable site you could release from the green belt whilst leaving the rest unchanged?

A: In an ideal world there would be a comprehensive sub-regional review. But if the council can build a sound story around not needing to delay, and then come back to the strategic issue later, this may be acceptable. Different authorities seem to be approaching it differently. There may be one single strategic site, or potential smaller releases around settlement boundaries. Both may be appropriate depending on the circumstances, and the evidence.

Q: Where the scale of objectively assessed needs is pointing to a green belt review, what is the best way of progressing this? Should the council carry out the review, seek to allocate land where required (in the green belt) and then consult? What about the strategic nature of the green belt, where it is shared with other authorities?

A: It would be preferable to take a comprehensive overview of the green belt when site allocations of this magnitude may be required. And if there were implications for the function and integrity of the green belt across a wider area, then joint working with other planning authorities on the review is necessary. Without joint work there is a risk of piecemeal erosion of what is actually a strategic issue. At the very least, agreeing a common methodology for this would be beneficial (if not essential).

Linked to this is joint working on the housing need for the housing market area. Have you worked with other authorities to seek the most sustainable way of meeting housing needs for the housing market area? There should be really robust evidence

on reviewing the green belt. Say that the economic appraisal provides the emphasis for investment and the need to provide perhaps larger homes than exist at present. The Strategic Housing Market Assessment will set out existing need. Can you be certain you can demonstrate the 'gap' in provision, between the economic and demographic work, that only the green belt can meet? Are you only looking to release it to cater for larger homes? How will new developments in the green belt link with the existing town?

Q: Can you produce an allocations Development Plan Document that does not include gypsy and traveller sites? If the Gypsy and Traveller Accommodation Needs Assessment is not going to be completed to the same timescale, can you return to gypsy and traveller sites in a separate Development Plan Document?

A: The needs of gypsies and travellers should not be treated any differently from other housing need. Inspectors will need to be given very convincing reasons why plans coming forward for examination do not provide for travellers' needs in accordance with the Planning Policy for Traveller Sites (issued in March 2012). Site allocations plans examinations have been suspended due to failure to address travellers' needs.

Q: What is 'strategic'? The main factor on choosing to do a single plan was that allocations are running out and so this was a quicker way to get allocations into a plan. This approach almost uses allocations to drive the strategy, in so far as the public is concerned.

A: In principle doing the detail to support the strategy is the right approach. But check that the strategy is still reasonably up to date and that the site allocations do enough to significantly boost the housing land supply.

Q: How do you deal with safeguarded land? Can it be protected from development?

A: The NPPF requires authorities to consider safeguarded land. It is something that should be considered beyond the 15 years of the plan. The notion is to make any changes to the green belt more permanent, i.e. probably two plan lifespans. The argument that you can't protect safeguarded land is not supported.

Q: When considering how to review the green belt, it seems that focussing solely on whether it still meets one or more of the 'purposes' will almost always come back with a 'yes'. What other ways are there of assessing the potential for release?

A: Look at similar land types. They may have different characteristics. It is an iterative process. Start to look again at the impacts once you have made an initial decision on potential sites. Tailor it to your specific needs. Then overlay constraint mapping. This could take out more sites. You could also factor in built-up areas

and the potential for regeneration. Ask 'how important is that 'yes' when balanced against the need for development land to provide for housing or other uses?'

Q: What about the approach to green belts in neighbourhood plans? If the public come up with entirely different sites, will they be ignored? What are the 'very special circumstances' that justify the release of green belt? What if a developer doesn't want to wait for the plan and their site meets the presumption?

A: The issue of development within the green belt is dealt with in paragraph 89 of the NPPF. The need for development on its own is not regarded as a 'very special circumstance'. This will be looked at on a site by site basis. If neighbourhood plans come up with entirely different sites, why ignore them? If they are sustainable, they should be considered.

Q: If, as a result of an updated Strategic Housing Market Assessment, there is an increase in the housing number, do we need to immediately start reviewing our Core Strategy? Can we have a partial or whole review? Or is there a threshold of increase in the housing figure that could trigger a review?

A: You will need to get on with an early review, particularly if the core strategy was adopted prior to the NPPF. If the Strategic Housing Market Assessment shows that your objectively assessed need is much higher than the core strategy provides for then you stand a significant risk of losing appeals. The plan is likely to be found to be out of date and therefore carry limited weight based on paragraphs 14 and 215 of the NPPF.

There is also significant risk if attempting to do this as a partial review, as housing policies are usually closely linked with the overall plan strategy. Once you start changing the housing policies this will nearly always have consequential impacts on other parts of the plan.

Q: It is understood that there is no longer a requirement for the chain of conformity to be retained between the core strategy and the 'second tier' plans. Is this correct and if so is there a maximum deviation away from the strategic policies that the second tier plan can plan for if a need is identified?

A: Although there is no longer the need for other plans to conform to the core strategy, something that fundamentally changes that strategy is likely to require the strategy to be reviewed alongside allocations work. Reasons could include significantly different levels of housing, or reviewing the green belt where a review was not planned for.

Q: Can you replace existing core strategy policies with new ones, when producing an allocations or other Development Plan Document?

A: It is possible to replace policies in the core strategy with policies in the allocations document (or any other plan), provided you are clear about the fact that new policies replace old. You also need to consult on the changes, showing the evidence behind them. This will include updating the Sustainability Appraisal.

Principle 3: Develop a realistic project plan for preparing the local plan

Guide Questions

- What are the project management arrangements for plan production?
- Have resources, roles and responsibilities been properly scoped out through a project plan?
- How is on-going monitoring on the plan to be developed?

- 3.1 Getting the right project management in place will make preparing the local plan easier. Investing time in project planning is the only way you can really ensure your local plan is delivered within the available resources and to the timescales that you have committed to.
- 3.2 A key tool is the use of a project plan. This should identify your local authority's key corporate objectives for the plan project and identify the measures for success. A project plan will also need to:
- identify the roles and responsibilities for developing the local plan.
 - identify discrete tasks and the type and level of resources that will be needed for each task.
 - identify a timetable for preparing the local plan including key decision points.
 - identify risks that might impact on local plan preparation and mechanisms for monitoring and managing the plan making process.

Roles and responsibilities

- 3.3 The first step to developing a project plan is to define roles and responsibilities. Establishing clear and effective decision-making and management structures is essential. It is important to agree staff resource commitments and governance from the start. This is especially necessary preparing a joint local plan as the need to coordinate and agree resource commitments across authorities can present additional challenges.
- 3.4 The planning policy manager or team leader often acts as the project manager for the local plan and leads the core officer team to produce the content. Bringing in specific project management expertise, if resources

allow, can be helpful. This may allow greater focus on project management task than might be achievable for those involved in producing plan content.

- 3.5 Getting corporate commitment for support from officers from across the local authority, such transport or economic development, to help develop the plan is essential. This wider officer group will need to be engaged with and steer the development of the plan. There will be a need to be a commitment from the respective departments to make the officer resources available for the duration of plan preparation from providing evidence through to potentially presenting evidence at an examination in public.
- 3.6 Establish a councillor working group or equivalent mechanisms to engage the portfolio holder with responsibility for the local plan and other councillors. Most authorities now have a forum or some mechanism for Councillor involvement in developing the plan outside of formal decision-making stages. Providing appropriate training and briefings for councillors and taking them through the issues at each stage of plan development. This can increase support for the local plan and also enhance councillor's abilities to take key messages out to the community. The local plan will ultimately need to be adopted at a meeting of Full Council, so councillor involvement from the outset of plan development is essential.
- 3.7 In addition, to internal officers and councillors, there are a number of external parties who will have a stake in the production of your local plan and often a critical role in its delivery. These include:
 - delivery agencies who will have a role in producing evidence and informing strategy and policy development, particularly in relation to infrastructure planning and delivery
 - developers and agents who will have a role in producing evidence, land assembly and promotion and infrastructure planning and delivery
 - consultation bodies who will help identify issues and inform the development of vision and objectives and will have a key role in testing and validating options
- 3.8 Establish contacts within these organisations and engage them in the plan making process from the outset.
- 3.9 The table below suggests one approach to structuring these roles and responsibilities:

Individual/Group	Role
Project Sponsor Director	<ul style="list-style-type: none"> • Ultimately accountable for project work • Agrees budget/resources • Authorises project processes • Approves risk actions and changes • Reviews achievement of benefits
Steering Group Portfolio holder, senior corporate officers	<ul style="list-style-type: none"> • Supports the project sponsor • Takes major decisions • Checks project on track • Commits resources to the project • Helps manage risks • Raises the profile of the local plan within the Council • Ensures accountability • Delivers corporate priorities • Embeds corporate stakeholders into the management of the local plan
Officer Group Includes officers from: Housing, Economic Development/Regeneration, Transport, Heritage / Landscape, Public Health, Community development, Education, Property, Legal, Development Management.	<ul style="list-style-type: none"> • Supports the project manager • Brings corporate resources into process • Day to day input into plan • Advising on process
Councillor Working Group Ward councillors	<ul style="list-style-type: none"> • Advisory group during plan preparation • Assists with establishing democratic accountability and ensuring ongoing community engagement
Project Manager local plan Team Leader	<ul style="list-style-type: none"> • Responsible for delivering project objectives and outcomes • Manages and motivates team and councillors • Responsible for planning, monitoring, controlling and reporting to produce agreed outputs on time, within budget and to quality expectations
Partnership working groups LSP, Town and Parish Councils, community groups and neighbourhood forums; key stakeholders – developers, agencies, Local Enterprise Partnership	<ul style="list-style-type: none"> • Responsible for working on engagement with partners and the community. • Identifying local priorities and ensuring effective engagement across all groups; • Input into vision, objectives, options and policy

Task and resource planning

- 3.10 A local plan takes staff time and money to develop. For each authority the amount of resources required will differ, depending on factors such as how ambitious you are being, how much information you already have and how much you can do either within the council or with others such as joint evidence studies.
- 3.11 A task plan is the best way to clearly set out what is required to produce the local plan. This can then be used to help to link tasks to the resources available. You should identify the main work areas involved, for example, consultation or developing housing evidence base, then break this down in to detailed tasks associated with each work area. Difficulties estimating time for tasks often arise because the task has not been broken down to a sufficiently detailed level.

- 3.12 Once the detailed task planning has been undertaken you can start to allocate resources against each task. A good starting point is to work out what skills are available in-house. Undertake a skills audit to identify the particular strengths or interests of officers in the team that can be applied to plan preparation tasks along with any training needs.
- 3.13 Sometimes work will need to be outsourced to consultants because of a lack of skills or capacity in house. You should consider sub-dividing these projects into smaller parcels of work if a single tenderer is unlikely to be able to carry out all the work or if there are a number of distinct elements to it.
- 3.14 Where work *is* being out-sourced to consultants, spend time on preparing the brief. A detailed brief will lead to better quality responses and is likely to produce more consistent and comparable tenders which are easier to assess. Details of all of the project requirements should be included in the brief such as whether meetings will be needed for progress reporting *or* whether a formal presentation of the findings is required.
- 3.15 It is crucial to factor in officer time to manage consultants; from drawing up specifications and briefs, procurement and contract management, right through to presentation to officers and possibly councillors. Devoting sufficient time to managing consultants will ensure they stay within budget and deliver what you have asked for.
- 3.16 An example of what a summary task and resource plan could look like is set out in the table below. It identifies the main task, staff and/ or external resources and indicative costs. It is useful to complete something in a similar, but more detailed format to break down tasks into their constituent parts and provide realistic estimates the time required for each of these.

Work Area	Person days by role			Notes	Indicative Costs
	PO	SO	PA	PO(Principal), SO(Senior), PA (Assistant)	Staff hourly/day rate x length of task and/ or budget for study
Strategic Housing Land Availability Assessment				In house	£....
Strategic Housing Market Assessment				Out-sourced? Management of study required	£....
Employment Land Review				Jointly managed with Economic Development	£....
<i>Tasks continued....</i>				...	£....
Total days required					£....
Total days plus contingency				with 15% contingency	£....
Total days available per week				(i.e. days available for local plan tasks)	£....

Note: This example includes an overall percentage of person days as a contingency but a more accurate measure would be to examine the risks associated with each task and identify what the specific contingency measure might require in person days.

- 3.17 You should update the resource plan as more detailed task plans are developed or to accommodate any change in the ways tasks are undertaken. Such changes might arise from outsourcing a task or sub-task beyond the team or combining tasks with other parts of the council (for example, joint consultation exercises).

Timetable for local plan production

- 3.18 Once completed, the task and resource planning needs to be taken a step further and applied to a timeline. This involves listing the start and completion dates of each task against based upon the person days you have identified. Lots of people use a Gantt chart for this which represents a timetable graphically. Tasks are shown as horizontal bars against a vertical timeline. Each task has a timeframe associated with it and an individual officer allocated to the task.
- 3.19 Predicting how much time each task will take, and over what period, is difficult. To help with this, you can:
- use benchmarking with similar authorities to identify suitable timescales;
 - hold early discussions with stakeholders, particularly delivery agencies, to scope out the extent of the tasks required at an early stage;
 - set, and keep to, deadlines for outsourced work.
- 3.20 Many tasks will be dependent upon other tasks being finished. It is important, therefore, at the programming stage to manage the order in which tasks are done to minimise the time wasted waiting for dependant tasks to be completed. You need to identify the relationships and dependencies between tasks, for example:
- Finish-to-start: Task B cannot start until task A finishes
 - Start-to-start: Task B cannot start until task A starts
 - Finish-to-finish: Task B cannot finish until task A finishes
 - Start-to-finish: Task B cannot finish until task A starts
- 3.21 It is particularly important to order the evidence required by stage of plan preparation. When do you need what? What evidence will be pivotal in developing and testing options at an early stage? Identify and initiate early those evidence base studies which might result in land coming forward for development (Strategic Housing Land Availability Assessment employment land) and, conversely, those which might exclude land from development (Strategic Flood Risk Assessment, Habitats Regulation Assessment). Ensure that this evidence is largely complete before reaching decisions on the spatial strategy.
- 3.22 Once you've done this you should be able to order the tasks along a timeline. The series of linked tasks that determine the start and finish dates

for your plan is known as the 'critical path'. You can change the critical path by, for example:

- breaking a critical task into smaller sub tasks that can be worked upon at the same time - this may not require additional resources, simply reorganisation.
- changing task dependencies to allow for more flexibility in programming.
- exploring the potential for overlaps between dependent tasks. For example, in a finish-to-start relationship, is it possible for task B to begin just before task A finishes?

- 3.23 Do not underestimate the time required to: evaluate evidence; generate and evaluate options; and draft policies. These tasks lie at the heart of producing a good plan. Yet because they involve 'thinking time' rather than specific defined events such as meeting dates or consultation periods, they can easily be overlooked or unreasonably compressed in the efforts to identify a timescale which meets the needs of other stakeholders.
- 3.24 You may wish to allow longer consultation periods where they overlap with common holiday periods. As well as the consultation periods themselves it is important not to overlook building in adequate time to deal with responses to consultation. This is especially important at the earlier stages of plan making where changes resulting from engagement may be more substantive. Even after you publish the submission draft local plan, representations will need to be logged and considered and you may choose to make amendments in light of the representations received. Whilst this does not need to take a long time, you should allow for any amendments to be made and agreed by councillors.
- 3.25 The local plan will require full a decision of full council for adoption and, depending on the Council's constitution, other formal council approvals for the consultation documents that precede it. Even if special council meetings are convened to speed up the process, papers will still need to go out in advance of the meeting and this will need to be reflected in your timetable. It is also important to consider the effect of an election and a change of administration. Could this have an impact on the plan? How will you manage this?
- 3.26 There are also other administrative requirements to factor in, such as allowing time for printing of the submission documents or ensuring that copies of documents are available for display at certain locations in your area.

Publishing your timetable

- 3.27 There is no longer a requirement to submit a 'Local Development Scheme' setting out the timetable for the production of Development Plan Documents to the Secretary of State. However, there is still a requirement to publish what documents you intend to produce, and when. The timetable you have prepared will identify the key milestones and overall timeframe for the production of the local plan.

- 3.28 In theory the detailed task and resource planning and the timetable should drive the overall timeframe that is agreed for the production of the plan. But in practice, for a variety of reasons, there may be pressure to commit to a different, often shorter, timeframe. The detailed project planning you have undertaken can be a useful tool to reconcile an aspirational timetable for local production and the actual timetable for the production of the plan.
- 3.29 One approach to doing this based on the example resource plan as set out in the table below. This can be used to identify the need for additional resources to deliver the plan to the timeline that has been committed to. Alternatively it may lead to adjustment to the timeline for preparing the plan in light of resources available.

	Person days individual by			Notes
Evidence	PO	SO	PA	PO(Principal), SO(Senior), PA(Assistant)
Total days required				
Total days available per week				(i.e. days available for local plan tasks)
Time unconstrained				
No. of weeks required to complete plan scenario				(= total days required / no. days available)
Time constrained				
No. of weeks available with i				To meet milestones in agreed LDS
No. of officers required to complete LDS agreed	work p tim esca tim escale sci			(= no. of weeks required/no. of weeks available)

- 3.30 Perhaps the most important thing to say about programming the preparation of the local plan is to be realistic! Adjust timetables where necessary to reflect the realities of some tasks highlighted above and try and build in an element of flexibility so that not every deadline is critical. It may be appropriate to consider delaying submission rather than compromising the quality of the plan and risking the suspension of an examination. An unrealistic and overambitious timetable may ultimately delay the adoption of the plan.

Risk management and monitoring

- 3.31 The process of task and resource planning and programming is likely to have highlighted 'pinch points' and areas of risk to the delivery of the local plan. You should prepare a risk register as part of the project planning process to: identify potential risks, assess their impacts, the likelihood of them occurring and set out who will be responsible for taking any mitigating action.
- 3.32 Using something simple such as a 'red, amber, green' traffic light system provides an easy to understand and quick to read summary of risks. Proper use of risk management assessments and on-going monitoring will help to ensure that any changes you need to make to the timetable are done in advance rather than reacting to problems after they have arisen.
- 3.33 Once you have completed the project plan and started work on the plan you need to keep up with the management and monitoring of how it is going. You should regularly review the project plan to:
- ensure that you have identified all of the necessary tasks,
 - check that task dependencies are correct,
 - identify any issues of timing which need addressing,
 - manage staff resources to ensure that people understand their workloads, and their deadlines for tasks.
- 3.34 The project manager should give regular progress reports to the sponsor and steering group, setting out:
- activities completed and milestones achieved
 - resources used and the costs to date
 - any risks and issues
 - review of any completed plan stages and next stages of the project
- 3.35 Build external quality assurance into the project management arrangements through regular reporting to a scrutiny committee and/or internal or external audit groups. This will help to ensure that processes and procedures are implemented appropriately. Benchmarking with other authorities or using a critical friend to advise may also have a role here.
- 3.36 These quality assurance measures provide a mechanism to identify procedural or soundness issues that may affect the plan. Tackling these issues immediately may help prevent slippage later in the programme. External quality assurance mechanisms can also provide a useful way to reflect on and review how each stage of the process went and make changes if necessary.
- 3.37 Monitoring against the project plan should be used as part of the formal review process of the overall delivery of the local plan. Keeping the underlying information up to date through a project plan will ensure you keep

your timetable up to date. If there is slippage from an agreed timetable ensure real time information, on progress with the plan, is available on your website. However, ensuring there is flexibility in the project plan and adding in contingency may remove the need for this.

Further Information

[Project management support for local plans](#)

[Councillor Briefing 5: Plan making - getting your plan in place](#)

Frequently Asked Questions

No questions have been received on this topic yet. Do you have a question about project managing your local plan?

Contact Adam Dodgshon on Email: adam.dodgshon@local.gov.uk Tel: 020 7664 3183



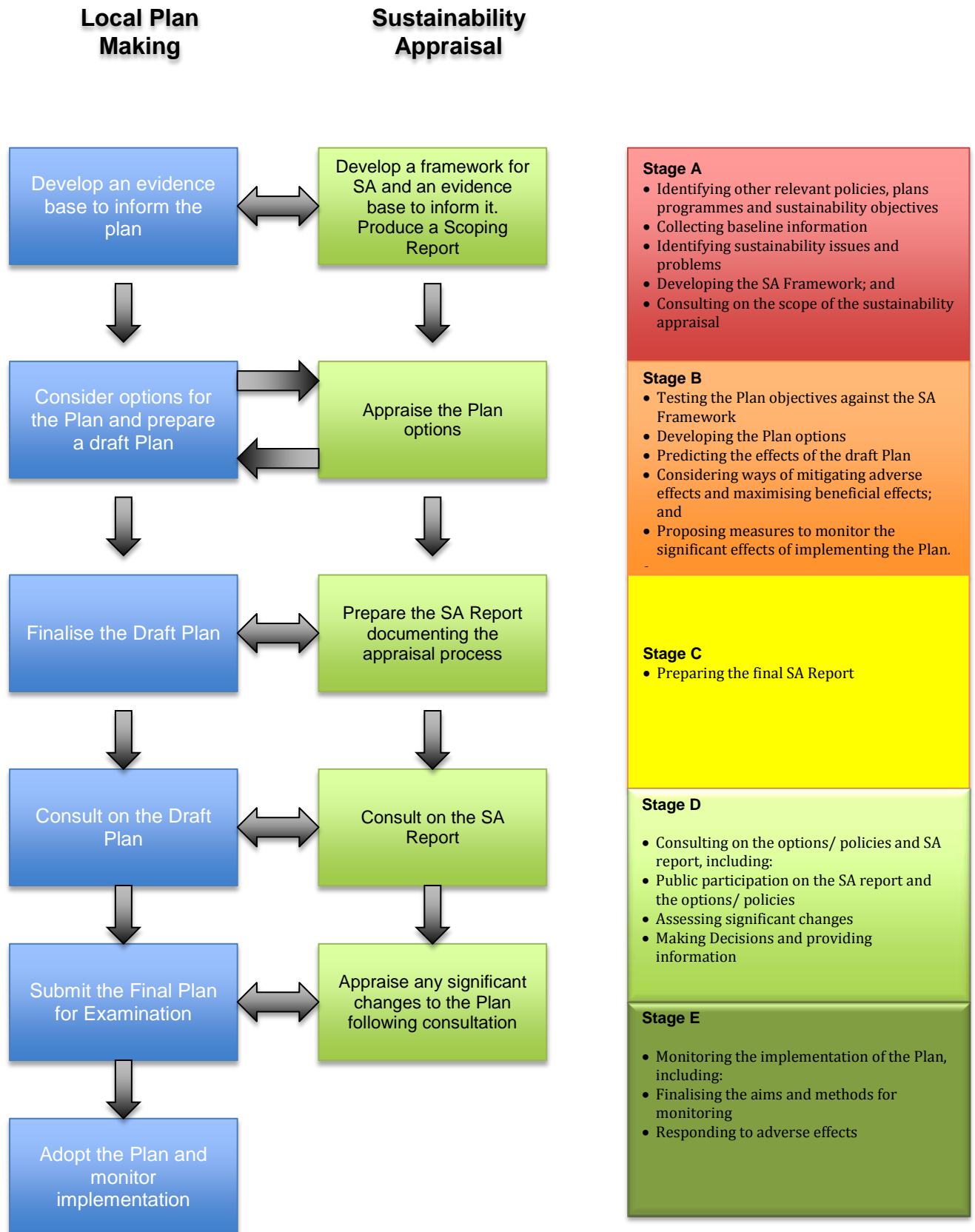
Principle 4: Integrate the sustainability appraisal with each stage of the plan making process

Guide Questions

- What are the arrangements for the shared use of evidence between plan preparation and the Sustainability Appraisal?
- How will the Sustainability Appraisal inform the plan through its parallel development, particularly in the appraisal of options?
- How will the process and outputs of the Sustainability Appraisal be captured in the audit trail presented at the examination?

- 4.1 Carrying out a sustainability appraisal of your local plan is an essential part of the plan-making process. The sustainability appraisal is not a one-off exercise; it needs to be integrated into the various stages of plan making as illustrated in the diagram below. It provides you with evidence, helps to test the evidence and helps with developing options. It cannot just be done as a 'looking back' exercise at the end and so it warrants consideration at the earliest stage of plan making.
- 4.2 The sustainability appraisal must address the legal requirements of the EU Directive (2001/42/ EC) known as the Strategic Environmental Assessment (or SEA) Directive. The Environmental Assessment of Plans and Programmes Regulations 2004 give effect to this Directive and set out specific, legal, requirements for each stage of the sustainability appraisal process. Failure to carry out the sustainability appraisal process properly can expose the plan to legal challenge. Further guidance is provided in: A Practical Guide to the Strategic Environmental Assessment Directive, Office of the Deputy Prime Minister, September 2005.
- 4.3 You may also wish to consider opportunities to integrate the sustainability appraisal with other types of assessments where possible. This might include health impact assessment or equalities impact assessment. This can avoid duplication of effort, save time and make the process more effective.

Sustainability Appraisal and Plan Making



Scoping Report

- 4.4 Establishing the scope of the sustainability appraisal is the first step. This Scoping Report should explain the context; identify sustainability objectives and the proposed approach of the assessment; and identify relevant environmental, economic and social issues. Consultation on the scope of a sustainability appraisal is a legal requirement. The final scope of the appraisal should be determined through consultation with: English Heritage, Natural England and the Environment Agency.
- 4.5 The scoping exercise must include an analysis of the context in which the plan is being prepared – this includes policies, plans, programmes, strategies and initiatives (PPPSI) with an influence on the content of the plan. This review should help you identify your obligations and also highlight the objectives of other organisations and service providers, which your authority might pursue through the plan. This review could be undertaken on a topic-by-topic basis. Some tips for undertaking the policy context review are to:
- only review PPPSIs that are up to date and relevant to the plan.
 - identify sustainability objectives contained within relevant PPPSIs: use these as a checklist when preparing the plan to ensure that it takes into account everything that it needs to.
 - avoid including international and national PPPSIs if it is clear that the requirements of these are translated by strategic and local documents included in the review.
- 4.6 PPPSI will often include plans prepared by neighbouring authorities or have impacts across boundaries. The scoping exercise can also help you start to put the duty to co-operate into action and start to identify where it is sensible for you to work with other authorities or organisations.
- 4.7 You should identify data on the existing environmental, economic and social characteristics of the area likely to be affected by the local plan. This 'baseline information' should provide a starting point for thinking and predicting how the area and its constituent parts are likely to change without a plan. This will help you 'future-proof' your options and justify the interventions set out in the plan. The scoping report should address the topics identified in the Environmental Assessment of Plans and Programmes Regulations 2004 and may include some of the following topics (this list is not exhaustive):
- Air quality
 - Biodiversity and green infrastructure
 - Climate change adaptation and flood risk
 - Climate change mitigation and energy
 - Community and wellbeing (including equalities and health)
 - Economy and employment

- Historic environment
 - Housing
 - Land (including agricultural land, brownfield land and contaminated land)
 - Landscape
 - Rural areas
 - Transport
 - Waste
 - Water
- 4.8 A common method for sustainability appraisals is to define a framework for assessment based on number of sustainability objectives. Local Plan options can then be appraised in relation to these objectives and their likely impact on the baseline environmental, social and economic context.
- 4.9 Sustainability objectives and associated indicators or targets should reflect the local context and be directly relevant to the plan being prepared. The objectives should be kept strategic – that is, they should concentrate on the ends rather than the means; for example, where an authority knows that air pollution from traffic is an issue, the strategic objective would be to promote cleaner air as opposed to promoting public transport, walking and cycling. The latter is more likely to be a plan objective. You may also wish to draw on existing sets of objectives (for example, from the sustainable community strategy), but make sure they reflect the key sustainability issues for the area.
- 4.10 It is recommended that you have a manageable number of sustainability objectives, typically 12 – 20, and write the objectives using plain English so they are understandable. You will find it helpful to:
- balance economic, social and environmental issues across the objectives; bear in mind that many objectives are crosscutting (for example, increasing employment is an economic and social issue).
 - develop criteria or questions for each objective as prompts for those undertaking the appraisal in order to 'tease out' impacts, in turn relating these to effects which can be monitored.
 - ensure that you understand the implications of each objective – for example, 'minimise' can have very different connotations to 'reduce'.
 - provide a brief commentary on each objective for the benefit of stakeholders, explaining the terms used and what the objective is looking to promote.
 - think about how the objectives can be adapted to assess site allocations (for example, by mapping them against site assessment criteria linked to GIS).
 - consider, against each objective, defining levels of significance (this is discussed further below).
- 4.11 Remember that the consultation bodies will want to see PPPSIs and sustainability objectives relevant to their areas of interest included in the review. For example, Natural England may wish to see biodiversity action

plans referred to and an objective on this topic. But also remember to keep things relevant and proportionate.

- 4.12 It may be appropriate to agree a sustainability appraisal methodology with neighbouring authorities in some circumstances. This can be particularly valuable where there are cross boundary sites or opportunity areas.

Assessing the effects of options

- 4.13 The sustainability objectives are used as the basis for the assessment of the emerging plan options. Local Plan should be realistic; don't include options that cannot be delivered. Where there are no or few options explain why in the sustainability appraisal as there is a legal requirement to assess alternatives. Sometimes this will be obvious - for example, a minerals plan may have few if any options given that minerals can only be worked where they exist.
- 4.14 The main aim of the sustainability appraisal is to identify and compare the significant effects of options – whether positive or negative – and respond to these effects. What constitutes 'significant' will vary according to circumstance and is a matter of your judgment. But in determining the likely significance of effects there is a requirement to consider the:
- probability, duration, frequency and reversibility of the effects
 - cumulative nature of the effects
 - risks to human health or the environment (for example, due to accidents)
 - magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)
 - value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use
 - the effects on areas or landscapes which have a recognised national, community or international protection status.
- 4.15 When identifying effects, consider whether the effect is likely to be permanent or temporary as well as the timescale over which the effect is likely to be observed. For example, short-term effects may occur in the first five years of the plan, medium-term effects as those that take place between five and fifteen years hence, and longer-term impacts as those that happen beyond the lifetime of the plan. Look at each case individually as effects that are significant in one situation are not necessarily significant in another. Analysis of significance needs to be proportionate to the expected severity of the effect.
- 4.16 When appraising strategic options, there is bound to be some uncertainty around implementation. With this in mind, consider the following:
- 'What if employment opportunities do not keep pace with household growth?'
 - 'What might happen if critical infrastructure doesn't follow development?'

- What is the effect on neighbouring areas – is the plan likely to displace environmental problems or lead to increased traffic generation in adjacent authorities?
- 4.17 You may wish to consider using quantitative information where possible (for example, the distance of a site to services and facilities) to determine significant effects. But be careful with mathematical models to determine degrees of significance. It can be tempting to allow formulae and scoring of the effects but this can lead to an artificial 'certainty' in the model. Furthermore scoring systems which result in an overall ranking can be misleading as authorities need to be clear, and make it clear to others, that a sustainability appraisal is a tool to aid the selection of the most appropriate option and is not the actual decision-making mechanism.
- 4.18 When using symbols or other ways of presenting information regarding the likely effects (for example, positive, negative, uncertain), always explain and justify the choice of symbol with reference to the baseline situation and the relevant to the Sustainability Appraisal objective (thus demonstrating an evidence based, baseline-led approach). Flow diagrams can also have a role in identifying and illustrating cause-and-effect, indirect and secondary effects.
- 4.19 It is important to keep the process as simple and consistent as you can. Criteria should be as objective as possible, the range of scoring options should be limited and any baseline data must be kept up to date. There is also considerable merit in taking a team work approach to the sustainability appraisal – involving the local plan authors - to generate discussion on likely impacts and to aid consistency and objectivity. You may also wish to incorporate internal quality assurance checking or external review of the appraisal process.

Habitats Screening

- 4.20 Options must also be screened and assessed for their impacts on European wildlife sites (under the Conservation of Habitats and Species Regulations 2010). The process of screening and appropriate assessment is often referred to as a 'Habitats Regulations Assessment'. The application of the Habitats Regulations invokes the precautionary principle. Plans can only be permitted having ascertained that there will be no adverse effects on the integrity of European sites or European offshore marine sites (unless there are 'imperative reasons of overriding public interest'). So you must screen options to work out if they are likely to have a significant effect on a European site or European offshore marine site based on the conservation objectives of the relevant sites and, if so, undergo an 'appropriate assessment'.
- 4.21 Any option determined to have an adverse effect on the integrity of a European site or European offshore marine site should not be taken forward unless adequate mitigation measures can be put in place.

- 4.22 Early analysis is best, although there must be sufficient detail contained in the plan to enable a meaningful assessment to be made. If an 'Appropriate Assessment' is required, this can rarely be done earlier than 'preferred options' or its equivalent since before that the plan rarely contains sufficient detail. At whatever stage you do this exercise, it should be updated at each subsequent stage to confirm its continuing relevance and (if recommendations for amendments to the plan have been made) to identify the relevant changes and their implications. As a statutory consultee, Natural England must be consulted. It is best if this can be done before the formal public consultation and before the plan is taken to committee for approval as the consultation may lead to amendments of the plan.
- 4.23 The end report should enable the competent authority for the purposes of a Habitats Assessment to confirm that the plan will not lead to adverse effects on the integrity of any internationally important wildlife sites. Ideally this would be before the final stage of consultation on the plan and certainly prior to submission. The local plan will only be adopted if it has been found to have no adverse effects on the integrity of the defined sites, or if so, then (a) there are no alternatives to the plan and (b) there are 'Imperative Reasons of Over-riding Public Interest' why the plan must nonetheless proceed. If such a decision is reached the Secretary of State must be notified. You should utilise the findings of this habitats assessment work to inform the sustainability assessment, for example in assessing the impact of options on biodiversity.

Mitigating adverse (and enhancing positive) effects

- 4.24 Mitigation measures should be identified as part of the sustainability appraisal where appropriate. An Environmental Impact Assessment (EIA) for a development proposal may suggest specific mitigation measures such as construction of a noise barrier but a sustainability appraisal is more likely to suggest changes in policy wording or emphasis. For this reason, mitigation measures may emerge throughout the Sustainability Appraisal process as the options and draft policies are developed. Therefore, you must have a clear audit trail to demonstrate that you have taken steps to mitigate adverse effects (and maximise positive ones). Typical mitigation measures altering options or policies might include:
- measures to offset the impacts, for instance, through projects that replace any benefits lost through other projects (for example, a new park near an area of open space that is being lost to development)
 - requirements for further assessment for certain types of projects or in certain locations such as landscape or traffic assessments.

Sustainability Appraisal Report

- 4.25 At the publication stage, you also have to publish the Sustainability Appraisal Report alongside the local plan. The Sustainability Appraisal Report must show how the sustainability appraisal has informed the local plan. The story behind the plan's preparation and the role of the sustainability appraisal in developing, refining and choosing between options must be articulated. One way to ensure this is to include formal recommendations for the local plan within the Sustainability Appraisal Report. This response can be recorded together with any subsequent amendments to the emerging plan and form part of the audit trail which will help explain why the proposed plan is the best solution to the needs and demands of the locality.
- 4.26 The Sustainability Appraisal Report should clearly set out the sustainability appraisal methodology and the rationale behind it so the reader understands how the appraisal was carried out. It should also highlight:
- the purpose and aims of the plan and their compatibility with the sustainability objectives
 - details of any limitations or uncertainties related to the data and any difficulties encountered during the SA process
 - details of any relevant consultation comments and how these have been taken into account
 - any changes to relevant plans, programmes, policies etc, or the introduction of any new ones, since the scoping report (including those of neighbouring authorities) and a statement to confirm that the Sustainability Appraisal framework has been reviewed accordingly and whether any changes were needed as a result.
 - the rationale for the options considered and the reasons for the selection or rejection of each alternative, referring to the evidence;
 - the anticipated effects of the plan;
 - any proposed mitigation or enhancement measures (and information as to how these have been reflected in the plan) noting whether or not there will be any residual effects and
 - proposals for monitoring (i.e. potential indicators for monitoring the significant effects identified through the Sustainability Appraisal).
- 4.27 You must consider all reasonable alternative options at the same level of detail, regardless of the stage of the process at which they are identified. The selected options which are in the published local plan need to be included in the Sustainability Appraisal Report. This may include re-appraising any options that are changed or are hybrid of more than one option where these have been incorporated in the plan. If a new option or even alternatives are introduced after consultation on the publication plan and the supporting Sustainability Appraisal Report, another round of consultation may be needed.

Consultation

- 4.28 The Sustainability Appraisal Report is likely to be a lengthy document. You must prepare a non-technical summary covering the information included in the environmental report; this is a legal requirement. Preparing this non-technical summary provides an opportunity to succinctly present the appraisal findings and facilitate engagement.
- 4.29 As a minimum, consultation should be undertaken on: the scope and the sustainability appraisal report on draft plan. It is also best practice for consultation to take place on sustainability appraisal during the plan preparation process for example, through the production of an interim Sustainability Report and through other means such as workshops and working groups. Ideally consultation on the Sustainability Appraisal should be done alongside other engagement work, for example, through workshops to identify sustainability issues at the scoping stage or events that debate the effects of options. This will help to ensure that views of stakeholders can be taken into account during the appraisal and facilitate an open and transparent assessment.

Further Information

[PAS support for undertaking a sustainability appraisal](#)

[A Practical Guide to the Strategic Environmental Assessment Directive, Office of the Deputy Prime Minister, September 2005 \(including SEA Quality Assurance Checklist at Appendix 9\)](#)



Frequently Asked Questions

Q: Housing sites are being proposed within high flood risk areas. What evidence are PAS/PINs expecting to address and justify this?

A: The evidence needs to clearly and convincingly demonstrate why this is the most appropriate strategy when considered against the reasonable alternatives. Clearly there is a need to have the support of the Environment Agency. The potential to reduce overall flood risk through mitigation such as improvements to flood defences may be a positive factor.

Principle 5: Develop and implement an effective engagement strategy for the preparation of the plan

Guide Questions

- How will the engagement strategy be applied at each stage of plan preparation?
- How are the plan options to be tested through the engagement process?
- How will the skills and knowledge of members, council officers and local communities be best used?

- 5.1 Involvement of local people in planning for their areas is an essential component of successful plan-making. To make engagement worthwhile the approach has to be effective for you *and* for those involved. If you are clear about what you are doing, why and how, you are more likely to get buy-in from your communities. The better you engage communities in plan making, the less likely they are to feel their needs are not being met in local planning decisions on individual schemes.
- 5.2 Your engagement plan should be an integral part of the project plan. Building on any commitments set out in your statement of community involvement, it should define:
- the objectives of consultation;
 - the stakeholders and their needs;
 - methods and timings;
 - roles and responsibilities; and
 - how responses will be dealt with.
- 5.3 The most effective engagement begins when the work on the plan begins, and communities work towards 'telling the story' of the plan. Be clear about the length of time this will take, and about the time horizons you are asking for opinions about. Many people become frustrated that they are being asked questions now, and then perceive the lack of 'action on the ground' as either a failure of the council or ignoring of their comments.
- 5.4 Effective engagement needn't be costly. Think about the easiest and best ways of engaging the audience you are trying to reach. This might mean meeting people where they are, rather than booking venues, such as outside

public buildings or on train platforms. The use of social media is still largely untested, and those that are starting to use it are having varying success. However, there is a large proportion of your audience that is 'technology-literate' and this should be tapped in to. Speak to your ward councillors who should have an invaluable role in community engagement – it's what they do. Community leaders can also play an important role in disseminating information about the development of the local plan.

- 5.5 When resources are constrained, you need to think about how to make the most of what you already have. There are probably other engagement exercises going on so work with others in the authority using the skills and expertise of others. You may have a community development officer or team, and a corporate engagement plan; it will be important to link in to this when writing your engagement strategies.
- 5.6 It is not only the community – business and residential – that you need to talk to, but key stakeholders as well. Key stakeholders include:
- statutory consultees listed in the local planning Regulations and including the regulatory agencies (the Environment Agency, English Heritage, Natural England) and neighbouring local authorities
 - physical infrastructure delivery agencies: highways authority, Highways Agency, utilities companies, Network Rail, public transport providers, airport and port operators, energy providers, telecommunications providers etc
 - social infrastructure delivery agencies, education, social services, health providers, the emergency services, charities and voluntary sector
 - major landowners – including the local authority itself and government departments and agencies
 - housebuilders and other developers
 - minerals and waste management industries.
- 5.7 Your approach to engagement should ensure that both key stakeholders and the community have an active role in shaping the plan and can take more responsibility for finding their own solutions.
- 5.8 Engagement can have benefits in terms of both information gained (for example, evidence on local concerns and priorities) and the process of engagement (for example, building understanding, ownership and a sense of pride about the area in which you live). Your approach should seek to optimise the different benefits for your council and community. Engagement on the local plan is also one way to assess the appetite for neighbourhood plans. If neighbourhoods are interested in having a greater involvement in the planning for their area, find out what they hoping to achieve and work with them on whether a neighbourhood plan is the right tool.
- 5.9 Effective community engagement should:
- address statutory requirements for publication and consultation on documents

- provide meaningful engagement opportunities for everyone who can affect, or are likely to be affected by, the policies being developed
- enable people to understand the issues and broader context– this includes sharing evidence and information on national policy
- be clear about what the choices are and set out clearly what they can and can't influence
- encourage participants to explore the implications of their views rather than simply state a pre- determined view or preference and
- be appropriate and proportionate for the context and stage of the document and the scale of interest – issues which have already had a lot of coverage and debate need not be extensively reviewed. If there are small changes, be clear about what has changed and what you are now seeking views on.

5.10 It is important not to forget that the engagement process is a two way street – and not engagement for the sake of it or solely about consultees. The engagement process should be designed in a way that will help you understand peoples' views and preferences and develop more locally relevant and successful local plan.

Further Information

[PAS community engagement support](#)



Frequently Asked Questions

Q: If changes to the plan are made between publication and submission, what are the requirements for consultation? The regulations do not seem to define this. The default is for 6 weeks for the publication draft, but if further changes are likely to be minor, would a further 6 weeks be required?

A: There is no prescribed length of time for inviting representations on further changes. The main driver is likely to be your Statement of Community Involvement (SCI). How long does the Council prescribe for consultation? If your SCI does not cover this, then you need to ask if there is a minimum period below which anyone could reasonably argue they did not have enough time to respond. Factors affecting this minimum time may include common holiday periods or, in the case of statutory consultees, some other known 'busy periods' (such as their own key stages in plan work). If you feel that a lesser period than 6 weeks will provide adequate time for all interested parties and statutory consultees to respond, then you could use that period. You may have to be prepared to defend the decision, so understanding and setting out clearly why it is less than 6 weeks is going to be important.

Q: Are there any legal obligations/timescales during which documentation regarding core strategies has to be kept available to the public, or archived after adoption?

A: Regulations 35 and 36 of the Town and Country Planning (local planning) (England) Regulations 2012 cover availability of documents.
<http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

You may also wish to consider any council-specific obligations to availability of materials, as set out in any council constitution or other codes of practice, and also the potential for satisfying any Freedom of Information requests.

Principle 6: Develop a relevant and robust evidence base for housing and other topics

Guide Questions

- Is the evidence proportionate and relevant to the plan's scope?
- How is the evidence base being used to justify the plan's approach and content?
- How is evidence being used to address specific issues such as infrastructure?
- What is the scope for commissioning joint studies with neighbouring authorities?

- 6.1 The National Planning Policy Framework (NPPF) makes it clear that evidence, or 'objectively assessed development needs' should underpin the overall strategy and each policy in the local plan. When examining plans the Planning Inspectorate will ask a series of key questions including: is the content of the local plan document justified by the evidence? Part of their assessment of the soundness of the plan will include considering the source(s) of the evidence and how up to date it is.
- 6.2 Evidence should inform what is in the plan, rather than being collected retrospectively in an attempt to justify the plan. You should have a clear idea about what the evidence is needed for, how it is going to be used and how much detail is needed. The general approach is that it is the quality, not the quantity, of the evidence that counts.
- 6.3 Certain evidence base studies are still required by the NPPF, although the main thing to remember is proportionality. Lengthy, time-consuming and expensive evidence collecting is the major cause of delay in getting a plan finished. To help manage this issue, the following questions are helpful.
- Is it really needed to inform plan choices or the development of option (the 'so what' test)?
 - What would happen if it didn't exist?
 - How relevant is it to the plan area and objectives?
 - If it is relevant, what is the best way of getting it?
 - Can existing evidence (including the baseline within the Sustainability Appraisal) be drawn upon, subject to checking its relevance and currency?
- 6.4 Many councils consider their Strategic Housing Land Availability Assessment, Strategic Housing Market Assessment and Employment Land Review to be key evidence. Make sure that these are as up to date and

relevant as possible when the plan is examined. However, what should constitute the evidence base is a local matter; for example if water supply and sewage treatment issues are important then water cycle studies and evidence from the Environment Agency and utility companies would be relevant to support the plan's approach. There is no set list of relevant evidence; it will depend on the issues that the plan seeks to address and on local circumstances.

6.5 Once you've decided what evidence you need, think about the different ways of getting it. What already exists and is easily available? What do you need to get from external stakeholders? What could be prepared jointly with others? And what could be assembled by other organisations? The main options are summarised below.

- **In-house:** from your own data, data held elsewhere in the council, from other strategies or research work.
- **Consultants:** where the expertise or capacity doesn't exist in house or time is tight.
- **External stakeholders:** the development industry, health providers, utility and infrastructure providers, national agencies.
- **Use local knowledge:** Outputs from community engagement exercises can provide useful evidence (for example, by canvassing opinion on perceived shortfalls in community facilities). Dividing the plan area up into easily identifiable character areas, and providing simple profiles on each, is a good way to start the dialogue with the local community and to focus your thoughts. Neighbourhoods or parish/town councils can have a particularly helpful role in contributing to area profiles and assessments local infrastructure needs.
- **Monitoring:** Annual monitoring reports and evidence of the impact of your policies will be part of the database that helps inform your choices. For this to work, make sure that the range of indicators used when monitoring genuinely helps you to understand plan implementation and are consistent over time to enable you to build up a profile of change.
- **Sustainability appraisal:** The sustainability appraisal should be an integral part of the evidence base and publishing its findings at each stage in the plan preparation process will help demonstrate that it has played a full and positive role in the development of the local plan.

6.6 Working with others such as neighbouring authorities to produce evidence could save you money and resources, and ensure consistency across a sub-region. Other authorities may have more recent data or be willing to share the cost of assembling or monitoring data. Joint studies could be commissioned even if you are at different stages of plan preparation if the study will still be considered up to date at the time of your examination. Paragraphs 178-182 of the NPPF set out the expectations for such joint working centred on fulfilling the duty to co-operate and a shared evidence base. Strategic housing market and flood risk assessments in particular, lend themselves to joint working.

- 6.7 Before commencing or commissioning work, carefully consider the terms of reference of any studies and ensure that the outputs provide the required information that will help development options. As far as possible, specify the same time horizons for topic-based studies so that forecasts, projections and associated land and premises requirements relate to the same time horizons within all evidence base documents (and the local plan being prepared). Consider too the need for spatially disaggregated data. For example, while district or borough level data might provide useful context, they may not be pivotal in terms of generating and testing options.
- 6.8 Ensure that the level of evidence collected reflects the level of detail in the plan. For example, if the local plan is set to contain certain strategic sites, then information on the characteristics of these sites and their relationships with neighbouring areas will be necessary to facilitate a robust appraisal.
- 6.9 The NPPF is clear that the plan must take demographic considerations including migration trends into account. Neither a capacity based approach nor one based on past building rates is appropriate. The impact of anticipated employment levels should be taken into account but only as one factor within the context of the overall demographic profile of the area.
- 6.10 Housing need assessments (Strategic Housing Market Assessment) should cover the housing market area which is likely to be cross-boundary rather than just the authority area. You should clearly explain the methodology. The assessments of need and housing land availability must be done as separate exercises to ensure their objectivity.
- 6.11 The strategic housing land availability assessment (SHLAA) should cover all potential sources of supply. The SHLAA should be prepared in consultation with the development industry and key stakeholders, and should identify as many potential housing sites in the area as possible. Agreeing a methodology with neighbouring authorities will result in a consistent approach across the housing market area. The local plan should then seek to decide which of these identified sites should be allocated for housing.
- 6.12 The SHLAA forms part of the evidence base and is not examined in its own right, but it does need to be sufficiently robust to justify and support the delivery of the plan. A plan is not unsound just because there is no SHLAA in place, but any available evidence of housing land supply should be updated taking into account the same basic principles. Housing supply evidence needs to be up to date, convincing and in accordance with NPPF paragraphs 47, 50 and 159.
- 6.13 The local plan should contain a housing trajectory, or provide a Housing Implementation Strategy in the evidence base (sometimes this is combined with an Infrastructure Delivery Strategy). This is used to demonstrate housing delivery against housing need. Some authorities are seeking to “backload” their housing trajectories citing the poor housing market as a reason for doing so. However, the point about the trajectory is that it should relate to housing need. There is little point in planning to provide additional

housing in the latter part of the plan period if the need is for housing in the early plan period. Thus to be effective housing policies need to be closely related to where and when the housing need is anticipated.

- 6.14 The NPPF (paragraph 48) says that authorities may make an allowance for windfall sites (excluding residential gardens) in the 5-year housing land supply, if there is compelling evidence that they have been consistently available and will continue to be a reliable source of supply. Windfall sites' are sites that have not been identified in the plan preparation process and hence unexpectedly become available. They are unforeseen and unplanned-for sites, so a site identified in a SHLAA cannot be a 'windfall site' even if it has not been chosen as one of the allocated sites.
- 6.15 In trying to determine whether there has been a record of 'persistent under delivery' that will impact future plan-requirements (NPPF, paragraph 47), take a sensible and pragmatic view. Look at a period that is long enough to take into account the peaks and troughs of the property cycle.
- 6.16 If your plan proposes over-provision (for example, as part of a growth strategy) this should also be shown to be justified by the evidence and, crucially, deliverable. However, if a figure is proposed in the local plan that is lower than the assessed need the justification for doing this must be very strong and supported by evidence on the relevant constraints. Any requirement to provide housing in an adjoining authority should be demonstrated agreement between the authorities.

Keeping evidence up to date

- 6.17 You may need to refresh the evidence base as the plan develops, as new sources become available, some become out of date, new issues arise to be addressed. Still aim to keep it relevant and proportionate, and get what you can from other plans and strategies. Document your evidence as it evolves. Review the evidence for timeliness (is it up-to-date/the latest available), relevance and completeness in terms of coverage of the plan area.
- 6.18 Evidence can be challenged if it is too old. Some issues (for example, landscape character) are less transient and liable to short-term change than others (for example, housing markets). Evidence base documents relating to retail, employment and housing that were completed three or more years before the submission date are particularly at risk of having been overtaken by events. This because the evidence used in these documents goes back some way prior to it being finalised. With this in mind, identify the aspects of the evidence base which only need to be established once during the local plan process (for example, biodiversity and geo-diversity status) and those which may need to be periodically revisited.
- 6.19 For evidence that needs to be revisited, arrangements should be put in place to ensure that information is updated as appropriate. Sometimes, as you go through the plan- making process, new evidence might be needed to

address a new issue, or to strengthen an area where there is little existing evidence to support the plan. Your evidence will also have uses elsewhere within the council and could be one of the main areas where you help neighbourhoods or parishes with neighbourhood planning.

- 6.20 Rather than treat evidence base production as a one-off, some councils are treating the understanding and sharing of evidence as an on-going process. The frequency and resources needed are dependent on the importance of the dataset to the plan. Light-touch reviews can demonstrate whether it is time for a more fundamental reappraisal (for example if the latest population and household formation information is significantly different from the original assumptions made).

Sharing and presentation of evidence

- 6.21 The local plan must not contain assertions of fact not supported by the evidence where evidence has been prepared by consultants or other departments. Officers need to make sure they understand it fully if they are to rely on it.
- 6.22 The evidence base should be set out clearly; this includes making sure that evidence is as easy to read as possible and that the evidence library/webpage is well-structured. Where appropriate, produce brief topic papers on particular subjects so that all the evidence is easily accessible in one place (this can also be useful in highlighting any gaps). Use signposting via footnotes, and make sure any conflicts within the evidence base are explained. Provide executive summaries or non-technical summaries of particularly large or technical pieces of evidence; this is a legal requirement for the Sustainability Appraisal.
- 6.23 Finally, put arrangements in place for sharing the information with your councillors and local community. Use it effectively to help councillors with decision making and for the local community to see clear links between the evidence and the emerging local plan.

Further Information

[Plan making direct support - review of your evidence base](#)

[Objectively Assessed Need and Housing Targets: Technical Advice Note](#)

More PAS guidance on approaching your objectively assessed needs is available in '[10 key principles for owning your housing number](#)'



Frequently Asked Questions

Q: When does existing evidence become out of date?

A: Monitoring will provide some indication. Any changes in national policy should be reflected in evidence, where necessary. A common sense approach should always apply. If evidence was based on particular circumstances which no longer prevail, then it is likely to be out of date. The age of evidence is not, in itself, the only determining factor.

Q: Is there any guidance available on how to calculate the 5-year land supply?

A: The Planning Practice Guidance covers this here:
<http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-5-final-evidence-base/>

Q: One key issue is about factoring in unmet need - which is preferred: 'Sedgefield' or 'Liverpool' method?

A: The Liverpool and Sedgefield approaches have both been highlighted as good methods for calculating historic under supply in their (now abolished) regional spatial strategies.

The Sedgefield method of calculating land supply involves adding any shortfall of housing in the local plan from previous years over the next five years of the plan period, whereas the Liverpool method spreads the shortfall over the whole remaining plan period.

The Planning Practice Guidance covers past performance in meeting housing need:
<http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-5-final-evidence-base/>

Q: Can you use more than just sites with permission in your five year housing supply?

A: The Planning Practice Guidance covers this issue in this section:

<http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-5-final-evidence-base/>

You are likely to have problems if you submit a plan that doesn't provide for a five-year land supply. You will need to provide robust evidence to support any assumptions about including (or excluding) sites from your calculation.

Let's say you take this year as 'Year Five'; go back five years and see how many houses that have been built in the last 5 years, had permission at the start of that period. So you can see the kind of amount that comes forward in a five year period in your council. This may be quite low recently, but should still help to illustrate the

point that in any five year period, you can expect 'x' to come forward on sites not currently benefitting from permission.

In addition to sites under construction and with planning permission you may also consider:

- sites scheduled to go to committee where there is a recommendation to approve
- sites at advanced pre-app (or really at any stage of pre-app provided they are not large and 'complex') – where there is a likelihood they will get PP in the next 12-18 months
- sites in the SHLAA or allocated sites that you have had conversations about contributing early, and have robust evidence on delivery rates
- windfall sites - not in year one, as these are likely to already have permission if they are contributing to year one. Exercise caution on windfalls, mainly because, if you do a 'robust' SHLAA, then you will have identified all available land (within reason) so once it is in the SHLAA it can't be windfall.

This is not intended to be an exhaustive, or 'fool proof' list. Evidence is key to all of your assumptions about sites coming forward that do not currently have planning permission. There is also a risk of double-counting. Ensure that any sites in the pipeline are not also counted as sites you are counting from the SHLAA.

On the 'other side' of the argument, issues that may slow down potential delivery include:

- the need for S106 agreements or further submission of details
- dealing with contaminated land/significant infrastructure requirements
- dealing with environmentally sensitive locations
- sites in multiple ownership
- sites with significant opposition

Again, this is not an exhaustive list. It is important not to be over-optimistic about site availability and delivery rates. Evidence on delivery rates must be credible. Hold discussions with developers and key stakeholders. Sites may be able to be delivered when the market improves. Do not include unrealistic rates in the current climate, but do not assume there will be no market recovery through the plan period.

Q: Should the 5 year requirement include past surplus/deficit and if so how far back to?

A: The 5 year requirement is about supply, not demand. Any past surplus/deficit starts from the beginning of the plan period. If the plan has yet to be adopted, then the period starts at submission.

The Planning Practice Guidance covers the issue of surplus/deficit here:

<http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-5-final-evidence-base/>

See more at: <http://www.pas.gov.uk/pm-q-a-housing#sthash.RuSoVaef.dpuf>

Q: What is the role of the Strategic Housing Market Assessment in calculating need, and how do you account for backlog of under-delivery?

A: Having an up-to-date, robust Strategic Housing Market Assessment should re-set the clock, and therefore carrying forward under-provision from a previous plan period would be 'double counting'. Make sure however that the Strategic Housing Market Assessment takes account of 'backlog' which is unmet need for housing that still exists at the start of the new plan period (for example, the needs of the homeless and other households living in unacceptable accommodation). The Strategic Housing Market Assessment should show all those in need. It is therefore vitally important to have a properly done Strategic Housing Market Assessment that has the right scope.

'Backlog' should therefore be a short-term issue which can be dealt with through updating the Strategic Housing Market Assessment. Once the plan period has started, any under-delivery against current targets is a 'shortfall' and needs to be addressed preferably within the first 5 years, as set out in the Practice Guidance.

Figures based on census information that comes out in 2014 will be more helpful, as they will cover a longer period and are based on the full census data. In the meantime, you need to work with what is currently available. The interim household projections are useful as a comparison with the 2008 projections, but they only run to 2021.

Q: Where you are using the Regional Strategy figure, how do you assess the amount of backlog, now that the Regional Strategy has been abolished?

A: Carry out an up to date Strategic Housing Market Assessment. This should show all unmet need as well as newly-forming need.

The importance of having this up-to-date information is illustrated in the judgement in respect of Zurich Assurance Limited v Winchester City Council [2014] EWHC 758 (Admin) (RT/38). The judgement states: '...There was no reason whatever for a person in 2011 seeking to draw up a current estimate of population growth and housing requirements looking into the future from that date to 2031 and using up-to-date evidence to do so, to add on to the estimated figures any shortfall against what had been estimated to be needed in the first phase of the previously modelled period included in the South East Plan' (paragraph 92).

The objectively assessed figure has to be the starting point. There are several useful resources:

- The front end to the demographic projections for your area is the 'What Homes Where' toolkit: <http://www.howmanyhomes.org/5.html>
- There is also a paper on assumptions, as part of this resource, written by Cambridge Centre for Housing and Planning Research: http://www.howmanyhomes.org/resources/Choice_of_Assumptions.pdf

When factoring in economic projections, a job-led plan must plan for the accompanying housing. If you want more jobs in your area than the projections show, you have to look to accommodate the additional housing required to meet that job growth. If not, you are essentially planning a commuter scenario, and this would have to be agreed with neighbouring and affected authorities. You should also ask yourself 'would such an approach be sustainable?'.

Q: Are 'broad locations' defined anywhere, and is it still appropriate to make an allowance for such sites in the 11-15 year period?

A: The National Planning Practice Guidance clearly states that the following are acceptable:

- Vacant and derelict land and buildings including empty homes, redundant and disused agricultural buildings, potential permitted development changes, for example offices to residential.
- Additional opportunities in established uses, for example, making productive use of under-utilised facilities such as garage blocks.

The Planning Practice Guidance covers this in this section:

<http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/methodologystage-1-identification-of-sites-and-broad-locations-determine-assessment-area-and-site-size/>

If we can assume this refers as much to broad locations as sites, then it effectively repeats what is in paragraph 46 of the DCLG SHLAA Practice Guidance of 2007 where it refers to land 'within and adjoining settlements'.

So: SHLAA sites + Broad Locations (plus any permissions and allocations not identified in the SHLAA) = total supply.

Windfall sites are something that will be generally 'phased out', as, once you have a really robust SHLAA, you won't need to rely on windfalls anymore. That said, there will always be unidentified sites. The key is whether you feel you can rely on the evidence to demonstrate they will continue to contribute to the 5-year supply. The Planning Practice Guidance covers the issue of windfall sites here:

<http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-3-determining-the-housing-potential-of-windfall-sites-where-justified/>

This supports the continued use of broad locations, and does not seem to discount the potential for built-up areas to contribute to this source in later years. So you could identify 'Town Centre X' as a broad location, define on a map, and show expected contribution in years 6 - 15.

Q: The Planning Policy Guidance suggests that any individual authority in the position of carrying out a Strategic Housing Market Assessment when others in the housing market area have recently adopted should build upon the existing work. What does 'build upon' mean?

A: You cannot ignore the new evidence. Any adopted figures can't be set in stone and may need to be revised in the light of that new evidence.

Q: How do you define 'persistent under-delivery' of housing?

A: The Planning Practice Guidance deals with this issue in Paragraph 035 of this section: <http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-5-final-evidence-base/>

Q: When undertaking a new Strategic Housing Market Assessment there are obviously a number of scenarios that can be used. How do you go about picking a number?

A: Inspectors will want to see a number. All your work will come up with a range. Your 'chosen' number will fall somewhere within the range. Inspectors will want to see the 'working out', or reasoning behind the eventual number chosen. It should ideally sit behind all the reasonable assumptions you have made, so as to be a 'corroborated' figure. In other words, it must align best with the assumptions.

The obvious point is, if you are going for a certain level of additional job creation, you have to ensure you would be providing enough houses to meet that, even if it would mean providing more than the straight demographic trend data. Inspectors (and others) will mainly look for consistency in the figure chosen.

You will also have to be satisfied that the final figure meets the requirements of the NPPF, in so far as you can demonstrate it will boost significantly the supply of housing.

Q: Is there any detailed guidance on the methodology for producing housing trajectories?

A: The Planning Practice Guidance does mention trajectories in this section:

<http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-4-assessment-review/>

This is not detailed guidance. Key points to consider are:

- Have regular dialogue with developers regarding delivery rates
- For individual sites, if you are relying on them to come forward sooner, you will need more evidence to support that assumption. This will include

evidence regarding constraints and risks to delivery, such as contaminated land, or S106 negotiations.

- Some authorities have considered a phased trajectory to deal with particular issues they are facing:
 - Severe, time-limited constraints
 - Reliance on large sites that will take time to deliver

Q: Is the 15 years the core strategy period and therefore fixed or rolling as per the 5 year?

A: The 15 year period for the trajectory should be fixed to the end date of the plan. If you revise the plan and therefore change the 'end date', you will need to adjust the trajectory accordingly.

Q: What is the starting point for the 5 year - the current year or future years?

A: The starting point should be the current year. Given that you have to demonstrate you have a 5 year supply at examination, this should be the 5 year period from the examination.

If any sites end up going to appeal, where a lack of 5 year supply is being used as an argument by the applicant, then you are likely to have to present up to date information on the current state of supply.

The Practice Guidance (paragraph 33) states 'local planning authorities should consider both the delivery of sites against the forecast trajectory and also the deliverability of all the sites in the five year supply. By taking a thorough approach on an annual basis, local planning authorities will be in a strong position to demonstrate a robust five year supply of sites'.

Principle 7: Ensure you identify strategic issues and address any cross-boundary impacts. This will help you demonstrate how you have met the duty to cooperate

Guide Questions

- What strategic issues have you identified that have cross boundary impacts?
- Has your sustainability scoping report or later assessments identified new cross-boundary impacts?
- What do you need other authorities to do to enable your local plan to be delivered and what do you need to do to support their plans?
- Can you demonstrate that you have satisfied the duty to cooperate?

- 7.1 It is essential to liaise with neighbouring authorities and other relevant agencies on cross-boundary strategic issues, crucial to the delivery of yours or their strategy. This can include where you are unable to meet the needs generated from within your area, or where you are being asked to help meet someone else's identified need.
- 7.2 There are two related elements to meeting this 'Duty to Cooperate' and cross-boundary impacts, these are the:
- legal requirement under section 33A of the 2004 Act, and
 - National Planning Policy Framework (NPPF) soundness assessment of how effective the cooperation has been – which is critical where the delivery of the plan depends on cooperation.
- 7.3 The Examiner will consider the first aspect, the legal requirement, as soon as the examination has commenced. If this has been met then the examination will continue. The Examiner will need to be satisfied that, within reason, all the various bodies have been given an adequate opportunity to influence the plan and not just been consulted on it. Practically, it is possible to pass the legal test but still fail the soundness test. Demonstrating how the duty to cooperate has been met is therefore essential to a successful outcome for a local plan examination.
- 7.4 Prepare a Duty to Cooperate statement setting out how you've addressed the legal component. It should not be simply a statement of the consultation procedures adopted rather it should focus on the outcomes rather than the mechanisms. There should have been serious discussions between the

parties aimed at achieving an effective plan. Usually there will already have been cooperation and discussions over cross- boundary matters so don't forget about how these have influenced your strategy and policies. Any statement should also set out how cooperation will continue in the future.

- 7.5 Addressing the soundness issue may be aided by any cooperation with neighbouring authorities being formalised and supported by a memorandum of understanding or similar agreement. Such statements should set out, for example, how decisions on strategic issues are made now and will be made in the future. These statements are not policy documents, instead they should focus on the decision-making process between the organisations, and on the outcomes to be achieved, so that they can be monitored. Any such statement or memorandum should have formal Council level sign-off and demonstrate corporate buy-in. In some cases there will be formal joint working arrangements in place (section 33A(6) of the 2004 Act).
- 7.6 Cooperation needs to result in a positively prepared plan with an effective outcome. There are a number of instances where an authority is relying on an adjoining authority to take some of its projected growth – often some of its housing growth. Authorities will need to consider the alignment of their respective plans and policies, and to share or jointly commission evidence.
- 7.7 Where there is no joint plan and cooperation is needed to deliver the plan, the respective plans should, if at all possible, be examined at broadly the same time. Where plans are not following broadly the same time frame Inspectors will look for formal Member level commitments between the authorities to seek effective cooperation (cooperation resulting in deliverable plans).
- 7.8 When cooperation is needed to deliver the plan but the cooperation is not demonstrably effective, you need to show what you have done to address each strategic issues, who with, and the outcome that has been agreed. If there is no agreement you must also demonstrate and record how you have tried to overcome this and what this means for the plan.
- 7.9 You may need to consider the need to:
- change the strategy in the plan so that delivery can be achieved without cooperation
 - negotiate effective cooperation with a different partner
 - acknowledge that effective cooperation is not possible (at least at the present time) and hence the plan will only be partly deliverable, making clear arrangements to produce a later plan to resolve the delivery problem
- 7.10 A last resort might be to abandon the plan and rely solely on the policies in the NPPF combined with local evidence – this is a genuine option – but there are clearly considerable risks with this approach.
- 7.11 Unresolved positions between authorities on cross-boundary issues could lead to all the plans involved being found unsound. The situation where an authority has sought to uphold the duty in preparing a positive plan but has

been frustrated by another body will not be easy to resolve. Generally such an authority should if possible not be penalised. Much will depend on the circumstances of each case, including factors such as the extent of the unmet need, possible short or long term solutions, and the consequences of the locality not having a plan-led development strategy.

Further Information

[PAS Guidance on Strategic Planning and the Duty to Co-operate](#)

Frequently Asked Questions



Q: What constitutes a strategic issue? Also, what are some of the headline issues to consider?

A: Strategic issues are relevant to the particular authorities concerned, and not a general list. You need to demonstrate why a sub-regional approach is important. Outcomes will be tested; it's not merely demonstrating that meetings have been attended. In terms of housing, you should consider how your figure matches needs in the area in terms of improving overall supply and increasing 5 year housing supply. You must convince an Inspector and participants that the figure is the best and justified approach. Where it is possible it is helpful to try to align plan timetables but where this is not possible you may be able to align some aspects of the evidence base.

Q: Is there any advice on how best to engage with infrastructure agencies?

A: There is no guidance on when/ how to engage. Where a Council can demonstrate it is driving joint working it will be considered to be proactive. The Highways Agency has produced a protocol for engagement – 'Supporting development and facilitating growth – working with the Highways Agency for planning for development: <http://www.highways.gov.uk/publications/planning-protocols-for-planning-and-development/>. If you are having problems engaging, contact DCLG or PAS directly.

Q: In some areas, for minerals sites, sand and gravel extraction, there are no deposits left. In these areas, how far can authorities address the issue?

A: The new approach is production-led, very different from the Regional Strategy approach which was based on needs assessment. See paragraphs 145-146 of NPPF. The key question will be: "is the council's approach reasonable and how does it relate to the views that have emerged from the working groups, including developers?" So evidence of co-operation and joint working will be important.

Q: What should you bear in mind when recording meetings held that will help demonstrate the duty to cooperate? Is there a prescribed format that the Planning Inspectorate will want to see?

A: The key is not to simply log meetings, but to focus on issues and outcomes. PAS is developing templates and supporting material to support this process: PAS Duty to Cooperate statement template

List your strategic cross boundary issues with the following information:

- **Who you have engaged with on those issues and how you have worked with other LAs on their strategic issues.** Include this in your monitoring report;
- **How and when you engaged.** E-mails and letters may be appropriate sometimes, particularly for clarifying issues discussed remotely. If there are major strategic issues you will need to meet, probably several times. List the name of the group and details of joint working arrangements ie officer and or member working groups, constitutions, protocols etc;
- **Record what the outcome of the engagement was / is to date.** What form of response will your cooperation produce? Will there be joint plans or policies? Joint evidence? A memorandum of understanding? Interim policies? Answer the 'so what?' question before you move on.

Q: Accepting that a Strategic Housing Market Assessment should be carried out for the whole housing market area, if a local authority within the housing market area has an adopted core strategy that takes account of 'A and B' does that leave the remaining authorities to pick up 'C' - the remaining housing need - alone?

A: If all adopted core strategies do not satisfy the position in the Housing Market Assessment then all the plans will need to be updated to reflect the new position. The remaining demand will not all be dumped on the last authority to adopt.

Q: How can we deal with the duty to cooperate and the potential to deliver sites through agreement? In other words, if there is a sub-regional need, can we get agreement to meet the need in one or two locations, rather than everyone having to meet their own need?

A: Do the joint study, then produce a formal commitment and written agreement (if at all possible). The Practice Guidance clarifies that, for meeting objectively assessed needs across a joint plan area, you can provide a single figure for that sub-regional need. Whilst this does not refer to gypsy and traveller sites, the principle seems clear. What will not be acceptable is each authority in the sub-region assuming another will provide the appropriate site, leaving the last one to adopt to take on the provision!

Principle 8: Create and refine realistic spatial policy options

Guide Questions

- What is the scope and content of the plan objectives and how locally distinctive are they?
- Is there sufficient background knowledge to inform option development?
- What is the approach to generating and testing options?
- What are the arrangements for community engagement?
- How will sustainability appraisal inform the refinement of options?

- 8.1 The development of options involves thinking spatially about how the plan area and specific places within it will contribute to achieving the plan objectives and deliver the spatial vision. As well as underpinning local plan objectives, evidence should also inform the development of options for the plan.

Creating options

- 8.2 Realistic spatial options need to be based on a strong understanding of your area – the starting point for which is your evidence base. Evidence should not be produced to justify a position already developed, but will help to:
- identify what policies you need to help deliver the plan and comply with the expectations of the National Planning Policy Framework (NPPF).
 - find the solutions by underpinning the generation and testing of options.
 - identify who is going to help you solve the problems and deliver the plan, including internal and external partners (the development industry, statutory agencies and other bodies, as well as neighbouring authorities) many of whom will have useful evidence.
 - plan for infrastructure and investment, whether at sub-regional, local or neighbourhood level.
 - set targets, which can be justified through evidence.
- 8.3 Your evidence may be collected on a thematic basis but should be analysed on a spatial basis. This could begin with a basic mapping exercise to identify constraints (green belt, landscape or heritage coast, wildlife sites, flood risk areas) and opportunities for development. Opportunities for development could be identified through, for example, mapping public transport routes and accessibility as well as aspects of deprivation or site availability. The information derived from this analysis will also help with the sustainability

appraisal. You should also think about any changes taking place in neighbouring authority areas which may have a bearing on the options developed.

- 8.4 Many authorities use area profiles to bring together the conclusions from the topic-based studies and develop a detailed understanding of areas. Area profiles involve breaking down the area into spatial units. These will vary in size depending on the nature of the area and of the plan being prepared. For example, you might identify a series of areas based on key settlements and their hinterlands. For a town centre plan, the areas identified might be much smaller, for example, different quarters: retail, business, culture and leisure.
- 8.5 For each identified area, you could prepare a profile that identifies its problems and issues, opportunities and constraints. The information collected should range from basics such as the population structure and dwelling densities to the relationship between homes and jobs and commuting patterns. Area profiles are a useful means to synthesise the messages coming out of the various evidence base studies (for example housing and employment studies, strategic floor risk assessment etc), including cross-boundary issues. Evidence from early community engagement could be used to help build local profiles, which in turn may usefully demonstrate how the plan reflects local perceptions and aspirations.
- 8.6 Area profiles can provide the basis for intervention or 'place shaping'. By analysing the characteristics of the area and its constituent parts and the key issues and challenges facing them you should be able to develop a distinctive vision for the area. This should help to provide the platform for identifying options, particularly in relation to the scale and distribution of new development. By using the information in the area profiles you will be in a strong position to differentiate between and identify areas that:
- can accommodate new development
 - can accommodate new development provided certain infrastructure was put in place
 - might benefit from regeneration
 - might gain from a reconfigured town centre, a stronger retail offering or an increased amount of green infrastructure to address deficiency and
 - those where new development might be best kept to a minimum.
- 8.7 The area profiles will also assist in fulfilling the requirements of the Sustainability Appraisal process if they include descriptions of the environmental characteristics of areas likely to be significantly affected by the plan.
- 8.8 For the high level strategy part of your plan key tasks could involve:
- identifying alternative growth scenarios to explore the implications of different levels of development based upon different levels of demand.

- directing growth to different settlements/areas according to what criteria are to be used, and reflecting matters such as economic and retail roles, strategic balance, the desire to bring about shorter trips and more appropriate use of transport modes, housing need, the maintenance of services and facilities, and infrastructure required to facilitate development.

8.9 Where there is a need to consider site location options, the following considerations apply:

- using studies to identify the scale of growth required from strategic sites indicate available sites and narrow down options using constraints mapping. Transport assessment, traffic modelling, infrastructure investigation and landscape sensitivity work should be involved in identifying options.
- working with landowners and site promoters to develop a list of reasonable sites. Start with the results of the Strategic Housing Land Availability Assessment and filter these sites using three broad criteria:
 - Exclusionary criteria – such as Areas of Outstanding Natural Beauty, flood risk areas or areas outside those marked for development in the local plan area.
 - Discretionary criteria – such as high quality agricultural land or local nature conservation designations. Whilst not necessarily ‘show stoppers’, these are important considerations and should be measured against the objectives in the Sustainability Appraisal and the Sustainable Community Strategy.
 - Deliverability criteria – such as land ownership, site access, planning history, infrastructure requirements, and possibly viability. If there is evidence that any issues here cannot be easily mitigated, they could be filtered out of the list of reasonable sites.

8.10 It is important to be creative. When developing options these are some of the questions you should think about.

- What is this option trying to achieve and how will it deliver the objective(s) of the local plan?
- Is this the best or only way of achieving it?
- Does the option generally conform with the NPPF (and the London Plan in London)?
- How would this translate into a policy?
- Is the option sufficiently, and proportionately, detailed to enable meaningful community involvement, Sustainability Appraisal and Habitats Regulation Assessment?
- Is it a genuine option or has it been included only to make other options look better or worse or for the sake of having an alternative option to test in the sustainability appraisal.

- 8.11 It is also vital that councillors are involved. Ask councillors to think about each of the options contribute to achieving our vision and what are stakeholders and the community likely to think of them.
- 8.12 Avoid the 'status quo' trap and a bias towards alternatives that perpetuate the current situation. Decision-makers should ask themselves whether they would choose the status quo if it weren't the status quo. You should also work with councillors to avoid pursuing alternatives that validate past choices just because it was a past choice and there is reluctance, consciously or otherwise, to admit a past 'mistake'. Often in practice there will be ideas which sometimes go back many years. You need to re-evaluate your choices against the vision and objectives you are looking to deliver. This is where involving scrutiny at key stages will really add value.

Testing options

- 8.13 There are three main ways to test the options. The first is 'deliverability test': is capable of being delivered? You should make a judgement on these points before you consult on an option. To help you think about this, consider the following questions.
- How deliverable is the option?
 - Is there the commitment of the delivery partners needed to make it happen?
 - Is there time within the plan period to implement the option?
 - Is it likely that the option will not be fully implemented for one reason or another? Ask 'what might go wrong with this option'?
 - Is the option flexible enough to accommodate changing circumstances such as revisions to housing needs and site viability?
 - Does the option give rise to any cross-boundary issues that will need to be considered early on?
- 8.14 It is important to explore how options and policies will be effectively delivered on the ground to help avoid an unrealistic policy approaches – the deliverability test. For example, if the evidence base suggests that policies to ensure a certain level of affordable housing in new development have not been fully implemented in the past, there is a need to be cautious and you may need to refine the option.
- 8.15 Options must be tested through the sustainability appraisal. The sustainability appraisal should evaluate the different options (particularly in respect of the levels of growth proposed), and this work used in turn to help refine them as the plan process proceeds.
- 8.16 Options should also be developed and tested with stakeholders through a process of continual engagement. The extent of this engagement will depend on the nature of the plan document in question. The minimum requirements for consultation as set out in the Local Planning Regulations (see also Principle 5 on community engagement). To help consultees to

understand the different options and their relative impacts, publish your sustainability appraisal of them, including the pros and cons of each option. Use maps and other visuals to help explain the impacts. This will all help people to understand the different scenarios and the consequences of them.

Refining the options

- 8.17 This stage follows on from the appraisal and engagement work that you have done on the different spatial options for your area. It's about taking the findings from these exercises and getting to one or more preferred spatial options. You need to still bear in mind the deliverability of the preferred options (so on-going work with service providers is essential) and their compatibility with national and corporate objectives and other plans and strategies.
- 8.18 When deciding on the final options make sure that you give clear reasons for not proceeding with certain alternatives as part of the ongoing engagement and participation processes. It is important that councillors are engaged in this decision. If options are discounted because they aren't deliverable, or for any other reason, record the reasons why.

Further Information

PAS Soundness Self-Assessment Checklist

Frequently Asked Questions



Q: We don't intend that our overall development strategy would change therefore can we do a partial review and keep some policies? But what would be the implications of current policies running to 2026 but the new policies running to 2031? Would electing to not change some policies have to be considered as a 'do nothing' option?

A: Partial reviews are possible. You really need to consider the impact of your proposed changes. Are you looking at new areas for development? What will the Sustainability Appraisal of the alternatives come up with? How will you communicate this to the community? Can anyone genuinely say that they have not had the opportunity to engage with you on the new proposals/options? Make it very clear what you are not proposing to change, as well as what you are.

You will assess existing policies against the new evidence, where relevant. If the policies are unaffected, they will not need to change.

Q: Issues and options stage will raise certain issues, but new evidence may show some of the issues are different from the ones consulted on. Can you go to a preferred option without going back and saying there are new issues?

A: In general, the answer is 'yes' provided that the Sustainability Appraisal explains the reasons and why the preferred option was chosen. If it is site specific it needs to be tested against the other sites that were options.

Principle 9: Develop a usable and focused set of plan policies

Guide Questions

- Do policies reflect the scope and objectives of the plan?
- Do policies reflect local circumstances, justified by evidence?
- How does policy convey the plan's key targets such as housing supply, employment land provision and affordable housing requirements?

- 9.1 The key policies required for the plan need to be scoped, with subsequent consideration of the potential impact of differing standards, thresholds and levels and types of intervention to achieve the plan objectives. Local plans must be based upon and reflect the presumption in favour of sustainable development in the NPPF with clear policies showing how the presumption will be applied locally (NPPF paragraphs 14 and 15).
- 9.2 A specific policy which sets out the principles of sustainable development should be included in the Plan, and chapter-specific policies could be based on these aspirations. You must make be made to the presumption in favour of sustainable development in line with the NPPF. There is a model policy on the Planning Portal web site. If this model policy is in your plan, and other policies are consistent with it, this should be enough to meet this expectation. You can make up your own policy, but if you do the Examiner of your plan will need to be satisfied that it fully and accurately reflects the national presumption.
- 9.3 A core strategy is no longer the primary development document so other development plan documents don't have to be in conformity with it – any existing policy can be changed via a new development plan document. But consistency *within* the local plan remains important. Make sure that the vision set out at the beginning of the plan is clear, concise and carried forward through the strategy and policies. Similarly, the challenges identified need to be tackled through appropriate policies. These should also be reflected in your Sustainability Appraisal objectives.
- 9.4 Policies should be focussed on how development proposals will be viewed by your authority (NPPF 154). You only need a limited suite of essential development management policies. Remember the NPPF also contains policies for use in determining applications. There is no need to repeat these locally. Except for the fundamentally critical presumption in favour of sustainable development, policy matters that are adequately covered in the

NPPF should not be repeated in the local plan. Repeating national or regional policy does not make the document unsound but it can make it longer than it needs to be. Some authorities feel that having the relevant policies all in one document is convenient for the public, but this is often negated by the production of a long, unfocused and confusing plan in which the essential issues and the strategies are lost in a mass of unnecessary material.

- 9.5 It can take some time to prepare a full set of policies to which there is broad consensus. In particular, work closely with development management officers to ensure the policies are fit for purpose, in particular check their wording supports plan objectives (see NPPF paragraphs 16 and 57, for example, which require that plans and policies are positive in tone).
- 9.6 Avoid negative “thou shalt not” type development control policies and embrace a “yes, unless” approach to drafting policies. The policies should be aimed at promoting the strategy that the authority is seeking to implement. Negative policies reinforce the reactive development control mind-set rather than the positive development management approach suitable for a genuinely plan-led planning system.
- 9.7 How the plan and supporting material is presented is important. Make sure it has been rigorously edited to ensure consistency throughout the document and structure material in a logical way, using sub-headings etc. Decide what is better placed in supporting documents with clear cross references and use illustrations or graphics to improve understanding and visual appeal. Use plain English and include an executive summary.

Further Information

[Soundness Self-Assessment Checklist](#),
Planning Advisory Service, January 2013

There is a model ‘presumption in favour of sustainable development policy on the [Planning Portal](#) web site



Frequently Asked Questions

Q: What makes a good flexible policy? When does too much flexibility lead to uncertainty?

A: There is no current advice on writing flexible policies. A couple of thoughts spring to mind: Is the flexibility so great as to threaten the overall strategy? Does the policy provide clarity and certainty (for example, if there are ‘triggers’ to applying the policy in different ways are these clearly set out)? Have you ‘tested’ the policy, perhaps with colleagues or with a group of local developers/agents to see if it is

clear and understood? Monitoring of policies is hugely important. Although this is a retrospective test, it is crucial to understanding how policies are working.

Q: Can post-publication changes to policies maps be dealt with under 'minor editorial' changes, without the need for a 'focused change' consultation?

A: Boundary changes would require focused consultation if you are altering an allocation or designation. Is it 'fair' not to give people chance to respond?

Q: What are the technical requirements of the policies map? Does it have to be at a recognised (standard scale) or simply at a scale (i.e 1:13000)? Do we have to provide hard copies?

A: Regulation 9 of the Town and Country Planning (local planning) (England) Regulations 2012 requires that a policies map is prepared to illustrate the policies in the plan graphically. It should explain any symbols and notations and be reproduced from or based on an Ordnance Survey base. No specific scale is specified but it goes without saying that it should be clear and legible.

If the policies map is changed, it will be one of the proposed submission documents, so it would need to be printed for submission and made available for inspection at the council offices (and other locations determined by the council) along with local plan. It is possible to use inset maps for changes but these will need to be incorporated into the final version.

Principle 10: Ensure the Local plan is deliverable, viable and supported by necessary infrastructure

Guide Questions

- Have the specific infrastructure requirements necessary to enable growth been identified?
- Are the policies feasible and viable?
- How have you dealt with uncertainty?

- 10.1 Local plans need to be deliverable over the plan period. You need to show in an implementation/delivery plan how the plan will be delivered. A key part of deliverability is identifying land. This has often been one of the hardest and most controversial aspects of plan-making, as the decisions involved can be difficult and unpopular. Your authority will often also have a role in helping to deliver another authority's plan, and vice versa.
- 10.2 Aspirational policies can be acceptable, but they still need to be deliverable over time. Plans shouldn't have policies that are so aspirational that the plan will not be delivered. One aspect of this is around identification of sites – for example identifying land for employment without any likelihood of development for employment purposes.

Viability

- 10.3 The National Planning Policy Framework (NPPF) has placed much stronger emphasis on viability in plan-making. It is clear that all policy requirements need to be considered together in assessing whether the plan can be delivered. This gives rise to the need for "whole-plan" viability testing. Two main points to remember are that this is about the cumulative cost of policies, and that full account has to be taken of relevant market and economic signals.
- 10.4 Under the NPPF, you will need to test the whole plan and all its policies together to show its impact on viability; however, separate viability testing of strategic sites is also recommended if they are key to the delivery of the plan. Taking into account the cumulative impact of policies on the viability of

development includes the impact of the Community Infrastructure Levy (CIL). CIL costs should come out of land values and should not have an adverse impact on the delivery of other policy objectives such as affordable housing. This point is reinforced in government guidance on preparing a CIL charging schedule.

- 10.5 Evidence for viability can be gathered from a variety of sources including local agents, mystery shopping exercises, the internet, previous planning applications (it can be helpful to record this information over time), and Inspectors' reports on plans and CIL. However, if you are relying on more than one set of viability evidence (perhaps commissioned for different purposes CIL or affordable housing and or by different consultancies). This can result in inconsistencies in methodology and assumptions. It is important to understand and to be able to reconcile these differences, through discussion with the consultants, to enable them to use the evidence in relation to whole-plan viability
- 10.6 There are several ways of testing viability but it needn't be over-complicated. In assessing viability, Inspectors will bear in mind the advice set out in the *Viability Testing local plans* document of June 2012 by the Local Housing Delivery Group. For the first 5 years of a plan period policies should be based on current market costs and values.
- 10.7 Engagement with appropriate stakeholders is vital: it can provide direct inputs from those with market/ business knowledge and allow other inputs to be tested in order to provide support for the authority's evidence. It can also help reduce objections at examination stage; such engagement should ideally be formalised and clearly documented in the plan.

Infrastructure planning

- 10.8 For infrastructure planning, you need to create a live schedule where the information is reviewed and updated on a regular basis. Ensure that this is a document which is owned corporately by the council. It is something which can be used to assist in asset management and delivering corporate priorities. Involvement of key partners, both within and outside the council will be important here. Infrastructure planning is part of the evidence base – prepare a draft infrastructure schedule at the outset, identifying gaps in the evidence base; and map existing infrastructure activity by the council and key partners.
- 10.9 The schedule should cover, for at least the first five years of the plan:
- needs and costs;
 - funding sources;
 - how it relates to the delivery/rate of development; and
 - responsibilities for delivery.

- 10.10 For the later stages of the plan period, detail these aspects if you can, but less detail is fine as understanding of infrastructure delivery is likely to be less certain. Having an in principle agreement from key partners is helpful in demonstrating the issues have at least been considered.
- 10.11 Many authorities find it difficult to effectively engage with some of the infrastructure providers, although not from lack of trying on the part of the authority. In these cases the Inspector should take a realistic view about what the authority can provide so long as it can demonstrate that it has made all reasonable attempts to engage with the infrastructure provider in question. Authorities and infrastructure providers should as a minimum come to the examination with a statement of common ground that includes consideration of the key infrastructure elements.
- 10.12 It is essential that the key infrastructure elements on which delivery of the plan is dependent are embedded in the plan itself. However, you should consider keeping the detailed infrastructure planning separate from the plan, rather than something that sits in the plan. In this way, when you wish to review the schedule, you will not be bound to review the plan. The plan should contain a strategy setting out how the schedule will be delivered, but this need not change when the contents of the schedule changes.
- 10.13 As part of the process of updating the schedule you could also extend it to support a wider range of planning and other documents for example, sub regional planning work, corporate plan, asset management plans, neighbourhood plans, local infrastructure plans and community infrastructure levy. Recording the data in Excel or Access as opposed to Word, gives greater flexibility when inputting future developments and can be used as a tool to bid for capital programmes for example, recent broadband/regional growth fund allocations. By giving each piece of identified infrastructure its own unique reference number, you can then use this to link to GIS map.
- 10.14 If possible, do local plan and Community Infrastructure Levy work at the same time so that the question of the provision of infrastructure can be dealt with in a comprehensive and coordinated way.

Monitoring delivery

- 10.15 The local plan should include a “Plan B” to show how you would deal with any difficulties or delays with the delivery of key infrastructure or housing. This is particularly important if you have a history of poor delivery.
- 10.16 Some degree of uncertainty will always exist. A plan will not be found unsound just because you can’t predict the future. But you do need to explicitly acknowledge and address uncertainty. The implications of the uncertainty should be taken into account and the “what if” situation considered. Some authorities have addressed this by referring to a range of possible outcomes. This should be fine if you can’t be more precise.

- 10.17 If the delivery of development, and consequently the proposed strategy, is jeopardised by uncertainties, you should include a contingency plan (alternatives which could be brought into play), with appropriate monitoring and trigger mechanisms. Uncertainties are not the same as 'unknowns'. You will need to show that you have had relevant conversations with key partners. Where possible, you should gain 'in principle' agreements or statements of support.
- 10.18 Provision also needs to be made to monitor the impacts of the plan and its sustainability effect. This should be used to identify whether and when the plan should be subject to review. Although Annual Monitoring Reports no longer have to be reported to central government, they remain a useful tool for you to review implementation of policies and report on the effectiveness to the public.

Further Information

[Viability Testing Local Plans: Advice for planning practitioners](#)

[Monitoring that matters: towards a better AMR](#) (although this was written in 2010-11 the content remains relevant)



Frequently Asked Questions

Q: If you have a Supplementary Planning Document (SPD) which covers financial contributions and S106, is this now contrary to NPPF paragraph 153 which states that SPD: should not be used to add unnecessarily to the financial burdens on development?

A: An SPD cannot introduce anything which is likely to increase the financial burden on development. What any obligations SPD is doing is adding clarity and detail to the policy already in place. So the SPD is not bringing in the idea of charging, which would perhaps be argued as increasing the financial burden, it is simply saying 'when we seek financial contributions, as set out in our policy (elsewhere), then this is the scale of those contributions we will seek'.