
Stantec, on behalf the Co-operative Group

Examination into the Leicester City Local Plan

Matter 2: Vision and Strategy

Issue 2: Is the Plan's overall vision and strategy positively prepared, justified, effective and consistent with national policy in enabling the delivery of sustainable development?

Policy SL01 – Location of Development

Q21: Is the spatial strategy for the location of development contained in Policy SL01 justified and effective in respect of its reliance on the Central Development Area (CDA) for around 30% of the Plan's housing provision in Leicester City?

1. The Plan identifies Leicester as the largest city in the East Midlands. As a highly sustainable and accessible location at the heart of the City, the Central Development Area (CDA) is considered to be an appropriate location for the focus of development within the Plan, particularly having regards to the challenges faced by town and city centres across the country with regard to the vitality of town centres. The Plan provides an opportunity to inject new life into the city centre, and the influx of new residents provides an opportunity to stimulate the local economy and provide a host of social, economic and environmental benefits, in line with the provisions of the NPPF.
2. The Co-op considers it is the Council's role to justify the overall distribution of new dwellings across the City, but would point out that city centre housing is usually higher density development which, whilst attractive for some segments of the market (for example young professionals), will not be appropriate for everyone, and so it is important to ensure that high-density city centre development does not come at the cost of lower density development being delivered elsewhere that meet other needs; family housing for example. If the Plan is to meet the needs of its residents, it must provide for a variety of development typologies and mixes, throughout its administrative area.
3. In addition, it is also noted that policy SL01, as currently drafted, identifies a target of 20,730 new dwellings, that will be provided over the Plan period and that, of these, 6,286 will be provided within the CDA, along with a further 1,838 dwellings provided through the strategic allocations and 1,230 dwellings provided on the non-strategic allocations. This equates to 9,354 homes provided for within the Plan, less than half of the target envisaged by the policy. This means that the remaining 11,376 homes will be delivered through windfall sites and through the neighbouring authorities addressing some of Leicester's unmet need (based on the figures within the draft Plan, as it stands).
4. The CDA represents the logical choice for seeking greater densities, through the opportunities for taller development that are afforded by a city centre location (subject to development management considerations), but the identification of additional sites, including those that are suitable for family homes, is equally important in meeting the needs of all of the City's residents. Increasing densities will only go so far in addressing this concern, and so it is essential that the Council seeks to define further sites for housing, as well as considering defining the expectations of individual site allocations in order to set a clear expectation of what individual sites are expected to deliver in terms of development quantum.

Q22: Is the evidence set out in the CDA Residential Capacity Study, 2022 [EB/CD/10] sufficiently robust and reliable to show that a further 6,286 dwellings will come forward within

the CDA over the Plan period? To ensure the Plan is effective in delivering the required capacity, should sites within the CDA be allocated for minimum numbers of dwellings?

5. It is noted that the CDA Residential Capacity Study (Doc. Ref: EB/CD/10) is a comprehensive document that appears to be thorough in its assessment of sites with planning permission as well as 'known sites', defined within the document as being SHLAA sites, brownfield, pre-app or call for sites submissions, as well as sites under Council ownership and non-residential allocations. The document also accounts for sites which have planning permission. Additionally, the document also considers future potential sites, which it indicates are not anticipated to come forward within the Plan period.
6. The document is not dated, and so is not clear what the base date for the information is. It has been noted that, in terms of sites with planning permission, the date of the 1st April 2021 has been used, which is assumed to be the publication date, although this is not explicitly stated. On the assumption that the document was prepared in April 2021, it is noted that the document is in excess of three years old, and as such may not accurately reflect the latest position within Leicester. Given that the document forms the basis of the Council's assumptions on the capacity of the CDA, and so goes to the heart of the development strategy for the City, it is considered essential that this document is updated as necessary, to ensure that it accurately reflects the current state of development in the City. Within the intervening period between the publication of the document and now, there may have been a number of sites with permission that have completed, or with permission that have lapsed. Indeed, there may have also been a number of new sites that have come forward or become available, none of which would be reflected within one of the key documents that underpins the Council's growth strategy. The Co-op would urge the Council to update this document as soon as possible.
7. Notwithstanding this, it is noted that the document identifies a capacity of approximately 15,000 dwellings. Approximately 8,300 of these come from sites with planning permission, with 6,636 homes coming from the 'known sites'. It is not clear why the Council has chosen a lower number (6,286), than that detailed within the capacity study, and the Plan would benefit from clarity in this regard. Furthermore, the figure cited within the Plan does not appear to have had regard to any sites with permission, that have informed the capacity study. Whilst this is perhaps unsurprising, as sites with planning permission would not necessarily be expected to be included within a new Local Plan, there may be instances where strategic sites, or sites envisaged to take a number of years to develop (i.e. through multiple phases), may benefit from an allocation in order to secure their future.
8. Moreover, the document confirms that, though it has identified 'future sites', these have not been factored into the capacity figures because they have not been considered developable within the Plan period. Given that the document is estimated to be some three years old now, it is considered that it would benefit from an update to clarify this position. Indeed, given the changing face of the national planning policy context (as detailed within our Client's response to Matter 1), and the pressing need for new sites, opportunities may exist now, that did not when the Plan was prepared.
9. In conclusion, therefore, whilst the structure, and methodology for assessing capacity is considered to be appropriate, the age of the document leads the Co-op to consider that it may not be an accurate reflection, and should be updated if it is to be used to underpin the Plan going forward.

Q23: Does the overall distribution of housing growth across the City, as proposed in Policy SL01, maximise the opportunities to viably address the need for affordable housing?

10. Policy SL01 does not include reference to affordable provision. Whilst this is covered by other policies within the Plan, namely Ho04 (as well as under site-specific policies), the policy does not indicate any

preferred location for affordable housing. We would expect affordable housing to be provided across the City, however there may be merit in a 'zonal' approach to affordable housing, whereby certain areas are expected to deliver more affordable housing. This is pertinent in the consideration of the CDA which, being at the heart of the City Centre, may be better suited to an increased level of affordable housing than the more suburban areas. These areas would still, rightly be expected to provide affordable housing, but the proximity to employment and services may be better suited to an affordable offer.

11. The Plan recognises that there is a need for 17,871 affordable homes in Leicester over the Plan period (in line with the Local Housing Needs Assessment 2022), albeit the Plan, which provides for less than half of its total housing need, does not plan for anywhere near enough homes to meet this requirement. As such, our Client considers that it may be necessary to undertake an early review of the Plan, following its adoption, to assist the neighbouring authorities in the preparation of their respective Local Plans.

Q24: Should Policy SL01 also support residential development on windfall sites given the reliance on this source of supply to meet the Plan's housing requirement?

12. Yes. As indicated in the responses above, it is apparent that the Plan is falling we short of meeting its total housing need in terms of the number of homes planned for through site allocations, and as such is heavily reliant on windfall sites, and the assistance of the other Leicestershire authorities in order to meet its housing requirement (based on the current NPPF, notwithstanding the proposed changes to this, and the housing requirement therein discussed above, and in relation to Matter 1). As such, the Co-op considers that the Council must make provision within Policy SL01.
13. Indeed, the Council notes, within Table 1 of the Plan, that 2,354 dwellings will be provided through windfall releases. This represents over 10% of the overall housing target set out in Policy SL01. Given that it is a significant component of the Council's supply, we would expect it to form part of the Council's strategy in the citing of new development, and be at least referred to under Policy SL01. To that end, it is noted that Policies Ho01 and Ho02 supports the development of housing on unallocated sites, but perhaps a link to this within Policy SL01 would assist in highlighting the emphasis to be placed on windfall development within the Plan.

Policy SL01 – Housing Need and Requirement

Q30: In the light of the most up to date calculation of local housing need for Leicester of 39,424 dwellings at 2,494 dwellings per annum (dpa) for the period 2020-2036, is Policy SL01 of the Plan positively prepared, justified and consistent with national policy in setting a housing target of 20,730 dwellings (1,296 dpa)? If not, what should the housing requirement be both annually and for the proposed Plan period?

14. Our Client's responses in this regard are as per the responses to Q21, Q22, Q23 and Q24 above, and so not repeated here.

Q31: Given the imperative of national policy to significantly boost the supply of homes, in paragraph 60 of the NPPF, is Policy SL01 justified in setting the figure of 20,730 dwellings as 'a target the Council will work towards' or should this be set as a 'minimum housing requirement' for Leicester?

15. The use of the words 'a target the Council will work towards' is not considered to be consistent with the NPPF.

16. Paragraph 61 of the NPPF is clear that Councils must determine the 'minimum number of homes needed'. The Council's wording in the Plan as it is currently written reads as though it is nothing more than notional target for the Council to work towards, whereas the NPPF is very clear that the housing requirement should be a 'minimum' figure. As such, we would urge the Council to amend the wording of Policy SL01, to ensure that it is consistent with the requirements of the NPPF by instead expressing the requirement as a minimum figure.

Q32: Is it justified and appropriate that the remaining unmet housing need will be distributed as agreed in the Leicester and Leicestershire Housing and Employment Need Statement of Common Ground?

17. The Co-op considers that the practice of seeking the assistance of neighbouring authorities in addressing any unmet need is appropriate and justified. Indeed, through the signing of the Statement of Common Ground (SCG/1) the neighbouring authorities have indicated their agreement to such an approach. This is considered to be in line with the Duty to Co-operate, as required by the NPPF and if properly implemented through the local plans of neighbouring authorities, will ensure that housing needs are met.
18. Whilst SCG/1 does not guarantee that each authority will be capable of delivering its full share of the unmet need that it has signed-up to, particularly in the face of the increased pressure they are being placed under by the proposed revisions to the NPPF; however, it is a commitment to at least seek to deliver as much of Leicester's unmet needs as possible.