

# APPENDIX A

## PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN FIVE YEAR REVIEW REPORT 2024

### Briefing Note

#### I. BACKGROUND

1.1 . The Plymouth and South West Devon Joint Local Plan (JLP) was adopted in March 2019 and is going to be five years old in March 2024. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires that a local planning authority must complete a review at least every five years. This is also set out in paragraph 33 of the National Planning Policy Framework (NPPF 2023) which says:

*Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary.*

1.2 The purpose of the five-year review is to ensure that the JLP and its policies remain effective and establish whether evidence suggests that parts of the plan may need updating. National policy and guidance recognise that policies age at different rates according to local circumstances and a local plan does not become out-of-date automatically after five years. A Five-Year Review Report is therefore required to fulfil this legal obligation and establish which policies are up to date.

1.3 It is particularly important that a five year review is undertaken because the NPPF and National Planning Policy Guidance (NPPG) make clear that the starting point for calculating the Five-Year Housing Land Supply (5YHLS) and the Housing Delivery Test is the housing requirement figures identified in strategic policies provided they are less than 5 years old or more than 5 years old, but have been reviewed and are found not to need updating. Otherwise, the government's standard method is deemed to set the plan's housing need and forms the basis for the 5YHLS.

1.4 Delays to planning reform and the current lack of appropriate transitional arrangements means that authorities, like us, who still have an up-to-date plan but have not yet formally commenced a new plan update are not protected while they move to the new planning system. It is therefore important to ensure the JLP strategy and policies are not undermined in the period between the five-year review point at March 2024 and the adoption of a new plan.

1.5 Additionally, the JLP's two policies relating to Plymouth Airport are directly linked to the five-year review point, and so it is important that the review report clarifies the planning position going forward.

#### 2. CONTENT AND MAIN FINDINGS

2.1 The JLP councils have assessed the adopted JLP against a set of robust criteria informed by national policy, guidance, and the planning advisory service advice. This assessment demonstrates that the JLP overall is still fit for purpose and up to date, as summarised below.

- The JLP is consistent with key legislative and policy changes that have occurred since the plan was adopted and continues to comply with national policy
- The JLP is monitored annually to show that the JLP is performing strongly and on track to deliver the strategy over the plan period
- The JLP is performing well against DLUHC appeal performance statistics with decisions being upheld and policies supported by Planning Inspectors

- The JLP provides flexibility to respond positively to the changes in economic, social and environmental changes that have occurred since adoption, including the declaration of a Climate Emergency.
- The JLP's housing requirement remains up to date, as it can be considered to be sufficiently close to the number generated using the standard method. Therefore, the JLP housing requirement can continue to be used as the basis for calculating the 5YHLS
- The demographic data of the 2021 Census reveals that the population across the JLP area is lower than had been projected at the time the JLP was prepared. Therefore, there is nothing in the latest demographic data to suggest that the current JLP needs to be updated at this time to deliver a higher level of housing provision.
- Safeguarding the airport site for general aviation use remains the most appropriate approach notwithstanding the link of the policies in the JLP relating to the airport to the five year review. This is in recognition of national policy on general aviation, the fact that there have been major unforeseeable circumstances at the time of the plan's preparation which have meant that this five year period has been insufficient, and the proactive actions currently being taken to resolve constraints to delivery.
- There are no cross boundary or other issues that need to be addressed.

2.2 The Review Report sets all this out and is supported by a detailed appendix applying the Planning Advisory Service route mapper and toolkit to test whether the policies still meet the requirements of the latest National Planning Policy Framework.

2.3 The Review Report concludes that the spatial strategy, strategic objectives, policies and JLP taken as a whole remains an up-to-date sound plan that is still fit for purpose and therefore does not propose to update it at this time. The JLP councils therefore can remain focused on implementation to support delivery of the JLP's strategic objectives across the whole plan area and continue to use its policies in decision making and in the determination of the five year housing land supply and housing delivery test.

### **3. NEXT STEPS**

3.1 Following approval by Cabinet, (and also by South Hams Executive, and West Devon Hub Committee) the Plymouth and South West Devon Joint Local Plan Review Report 2024 will be published before 26 March 2024.

3.2 Once published it will allow the adopted Plymouth and South West Devon Joint Local Plan to continue to be used with full weight in the determination of planning applications. It will also be a material consideration for planning decisions in its own right.