

Title of Report	LOCAL PLAN REVIEW – HEALTH AND WELLBEING POLICY	
Presented by	Councillor Robert Ashman Portfolio Holder for Planning and Infrastructure	
Background Papers	National Planning Policy Framework	Public Report: Yes
	National Planning Practice Guidance North West Leicestershire Health and Wellbeing Strategy 2018 – 2028	Key Decision: Yes
Financial Implications	The cost of the substantive Local Plan Review is met through existing budgets.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	None from the specific content of this report. In due course the policy options set out will be incorporated in a consultation document for the Substantive Local Plan Review. The Local Plan Review process as a whole must accord with the legal requirements set out in legislation and guidance.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	No staffing implications associated with the specific content of this report. Links with the Council's Priorities are set out at the end of the report.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	This report outlines to Members the possible approaches to Health and Wellbeing as part of the Substantive Local Plan Review.	
Recommendations	THAT THE LOCAL PLAN COMMITTEE AGREES FOR INCLUSION IN THE NEXT CONSULTATION STAGE OF THE LOCAL PLAN REVIEW THE POTENTIAL POLICY OPTIONS SET OUT IN THE REPORT FOR: A) A HEALTH AND WELLBEING POLICY AND B) A HEALTH IMPACT ASSESSMENT POLICY	

1. BACKGROUND

- 1.1 Members will be aware that the Council has a Health and Wellbeing Strategy 2018-28. It specifically identifies the role of planning policy in the delivery of the strategy, namely, to embed health and wellbeing in local plans, the consideration of the strategy's objectives when considering development proposals and the promotion of active travel.
- 1.2 The Council's Delivery Plan for 2019-2020 includes as one of its aims that "Our Communities are safe, healthy and connected," and one of its key tasks is to 'Deliver the actions in our Health and Wellbeing Strategy.'
- 1.3 The Local Plan Review, therefore, provides opportunities for the Council's planning function to further support the Health and Wellbeing Strategy and building upon the National Planning Policy Framework's (NPPF) principle of achieving sustainable development, to

support strong, vibrant and healthy communities, and to take into account the health status and needs of the local population as part of development.

- 1.4 The planning process can help promote the health and wellbeing of its residents, workers and visitors to the District, and the Local Plan has a key role in shaping the built and natural environment. This can influence people's ability to follow healthy behaviour, facilitate development that supports and encourages active and healthy lifestyles and can have positive impacts on reducing inequalities.

2. NATIONAL PLANNING POLICY

- 2.1 The NPPF identifies the purpose of the planning system as being "to contribute to the achievement of sustainable development", supported by economic, social and environmental objectives.

- 2.2 Para 8b of the NPPF defines the social objective of the planning system as 'to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.'

- 2.3 The planning system has a clear role to play in the provision of health infrastructure and the NPPF (Para 91) expects that policies and planning decisions should aim to achieve healthy, inclusive and safe place, which:

- Provide opportunities for social interaction;
- Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs

- 2.4 Furthermore, throughout the NPPF we can see examples of how the planning system can contribute to the health and well-being of our communities, and a range of issues are raised covering matter such as:

- Provision of accessible green infrastructure;
- Opportunities for sport and physical activity, including layouts that encourage walking and cycling;
- Provision of sports facilities and allotments;
- Access to healthier food;
- Limit need to travel and opportunities for sustainable travel, to help reduce congestion, improve air quality and public health
- Securing well-designed, attractive and healthy places

- 2.5 The National Planning Practice Guidance (NPPG) reaffirms that local planning authorities should ensure that health and wellbeing and health infrastructure are considered in plan making and in planning decision-making. Its section on health and wellbeing supports the issues found within the NPPF.

- 2.6 The NPPG advises that:

"Planning and health need to be considered together in two ways: in terms of creating environments that support and encourage healthy lifestyles, and in terms of identifying and securing the facilities needed for primary, secondary and tertiary care, and the wider health and care system (taking into account the changing needs of the population)." (Paragraph: 001 Reference ID:53-001-20190722).

- 2.7 The NPPG also identifies that a Health Impact Assessment (HIA) is a useful tool to use where there are expected to be significant impacts.

- 2.8 The planning system also has a role to play in meeting the challenge of climate change and it is recognised that health and wellbeing is interlinked with the challenge of climate change. Actions that protect our planet and mitigate climate changes are also good for people's health and wellbeing, for example, reducing the need to travel by car helps reduce air pollution and supports opportunities to walk and cycle, or minimising vulnerability to flooding has a positive impact on people's health and wellbeing. The issue of climate change and renewable energy as part of the Local Plan Review is considered in a separate report elsewhere on the agenda, although it is understood that these issues are interlinked and complementary.

3 CURRENT POLICY POSITION

- 3.1 The adopted North West Leicestershire Local Plan does not include a specific policy addressing Health and Wellbeing. There are however, a number of policies that promote health and wellbeing and the creation of healthy living environments. This is addressed explicitly and implicitly in various policies as summarised in Appendix A. Many of these policies cut across a number of themes, such as climate change, impacts of pollution, the public realm and access to recreation facilities. Similar policies to these are likely to be included as part of the Local Plan Review and will be considered in due course. The purpose of this report is to focus upon specific potential health and wellbeing policies.
- 3.2 The issue of health and wellbeing was raised as part of the Local Plan Review: Emerging Options Consultation undertaken during November 2018 to January 2019.
- 3.3 A report to the meeting of this committee on 26 June 2019 considered all of the responses to that consultation. In terms of how the Local Plan can address Health and Wellbeing Issues, there was a good level of support for the inclusion of a health and wellbeing policy or policies. Suggestions for what such a policy should include identified issues such as waterways, cycle lanes and footpaths, heritage, green infrastructure and economic wellbeing. However, there was the suggestion by some that a policy is not necessary as this could lead to duplication of existing policies and processes. In addition, any policy should be supported by evidence and proportionate to the development.
- 3.4 There was also broad support for the inclusion of a strategic policy that linked to other Local Plan policies such as green infrastructure, sustainable travel, sport and recreation opportunities.

Health Impact Assessments

- 3.5 The consultation in 2018 also raised the issues of Health Impact Assessment (HIA). A HIA is a process which ensures that the effect of development on both health and wellbeing inequalities are considered and responded to during the planning process. It seeks to identify the positive opportunities for health from a proposal as well as highlighting potential negative impacts that need mitigation. It however, does not provide a definitive answer on whether planning permission should be granted or not. The findings of a HIA should be used as one component of the decision-making process.
- 3.6 There was some support for the use of HIA Screening Statements to identify whether a more in depth HIA is required. For some this approach was considered to be preferable and more proportionate than requiring a full HIA for all development. Others were against this approach in principal, as they considered that, it is not the role of a local planning authority to seek these and that the HIA is already an integral part of the Strategic Environmental Assessment process.
- 3.7 The potential threshold for HIAs was suggested as ranging from 20 dwellings and above. Some felt that the need for a HIA should be determined on a case-by-case basis as part of the pre-application process or in accordance with a Supplementary Planning Document.

- 3.8 Question were also raised on the issue of takeaways and their location in respect of schools. The majority of the responses did not support restrictions on further takeaways uses within a specific distance of a school. As such, there was limited feedback on the distance of any potential takeaway exclusion zone.
- 3.9 The Local Plan Committee supported the intention to continue to explore the potential use of HIAs and to further explore the issue of fast food takeaways.
- 3.10 This report explores the potential policy options for health and wellbeing and HIAs. Further work, with the Health and Wellbeing Team Leader and the Environmental Protection Team is currently ongoing on the matter of take away establishments. This work is looking to establish whether there is a link between the number and location of take aways and health issues that are faced in the district, for example, levels of obesity. If there is found to be a link, it is suggested that this will be a matter to be explored further as part of the Local Plan Review.

4 POSSIBLE POLICY OPTIONS

- 4.1 Having regard to national policy and guidance, it is suggested that it would be appropriate to have Local Plan policies that would explicitly address Health and Wellbeing issues.
- 4.2 Options for policies to be considered in the Local Plan Review are described below. The intention is that these will be presented as alternatives in the next Local Plan Review consultation (Regulation 18 stage) so that wider views on the implications of the different options can be gathered. The options will also be tested through the Sustainability Appraisal/Strategic Environmental Assessment process so that their relative merits can be compared on a consistent basis.
- 4.3 It is important to say at the outset that many of these policy options will potentially add to the cost of new developments. The NPPF is clear that policies in local plans should not “undermine the deliverability of the plan”. The local plan will need to be subject to a viability assessment the purpose of which (according to the National Planning Practice Guidance) is to “not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan”. It will be appreciated, therefore that any preferred options may need to be amended later in the plan preparation process to take account of viability issues.

General Policy Approach

Option 1 – no policy on health and wellbeing policy

Option 2 – inclusion of a health and wellbeing policy.

- 4.4 If no specific policy is included, health and wellbeing issues would continue to be addressed solely through a number of policies throughout the Local Plan.
- 4.5 However a specific policy could be used that identifies the Council’s support for the promotion of the health and wellbeing.
- 4.6 A summary assessment of the advantages/disadvantages of these two options is set out in the following table:

Advantages	Disadvantages
Option 1 - no general policy on health and wellbeing policy	
Health and wellbeing issues would continue to be addressed solely through a number of policies throughout the Local Plan.	Missed opportunity to explicitly embed health and wellbeing in the Local Plan and to show conformity with the NPPF and the Council's Health and Wellbeing Strategy.
Option 2 - inclusion of a general health and wellbeing policy.	
The NPPF recognises the important role that planning can take in helping to address health and wellbeing issues associated with new development	Potential duplication of other policies
Health and wellbeing is explicitly addressed and embedded in policy and provides a greater opportunity to address the current challenges faced with respect to health and wellbeing.	
Seeks to ensure that issues relating to health and wellbeing are considered as part of the planning process in order to positively improve outcome for the people who live, work and visit the district.	
Contributes towards the vision and priorities of the North West Leicestershire Health and Wellbeing Strategy 2018-2028.	

- 4.7 Having regard to the above, the inclusion of some form of overarching approach would be considered appropriate in light of national policy and guidance.
- 4.8 Detailed policy wording will be drafted at a later stage once preferred policy options have been selected. In this case, however, officers have drafted some suggested wording for a 'general health and wellbeing policy' to illustrate what this might look like. This is included in Appendix B for illustrative purposes only. Further, the plan's supporting text will need to provide important information to explain the requirements in the policy, as well as the relevant background and issues faced by the district

Health Impact Assessments

- 4.9 National Planning Practice Guidance highlights the value of health impact assessments. There are different types of HIA, including a desktop HIA, a rapid HIA and a comprehensive HIA, and the type of HIA undertaken could depend on the nature of the development proposed. For example, the size of a development or its intended use will determine the type and focus of a HIA.
- 4.10 Potential options for how this matter could be addressed in the Local Plan Review include the following:
- Option 1** – No change and the Local Plan Review does not include a policy that seeks the submission of a Health Impact Assessment to support development proposals.
- Option 2** – require a Health Impact Assessment to accompany all planning applications
- Option 3** – Require a form of Health Impact Assessment for planning proposals that meet a specified threshold, including the use of a Health Impact Screening Statement as a systematic way of deciding whether a full HIA is required.
- 4.11 A summary assessment of the advantages/disadvantages of these options is set out in the following table:

Advantages	Disadvantages
Option 1 – no requirement for a Health Impact Assessment	
No additional cost implications for the applicant or the Council.	Whilst major applications which are of a scale that require a Strategic Environmental Appraisal would specifically address health issues, this does not apply to the majority of planning applications.
	Missed opportunity to identify health and wellbeing issues, associated with a specific development proposal for the majority of applications.
	Missed opportunity to address negative impacts as well as identifying positive impacts, for the majority of applications.
	Contrary to the Council's Health and Wellbeing Strategy which supports the use of Health Impact Assessments.
Option 2 – A Health Impact Assessment to accompany all planning applications	
Ensures that the effect of development on both health and wellbeing inequalities are considered and responded to during the planning process for all planning applications.	Such a requirement may not be proportionate to the size/scale of the development proposed and could result in disproportionate expense to applicants.
Provides consistency and certainty for applicants as to what is expected.	Resource implications with potential significant costs for Council as well as a high level of input from external health agencies to facilitate this approach.
Option 3 - Require a form of Health Impact Assessment for planning proposals that meet a specified threshold, including the use of a Health Impact Screening Statement as a systematic way of deciding whether a full HIA is required.	
Ensures that the effect of development on both health and wellbeing inequalities are considered and responded to during the planning process for a number of planning applications.	Such a requirement may not be proportionate to the size/scale of the development proposed and could result in disproportionate expense to applicants, albeit potentially to a lesser degree than Option 2.
Allows for the development of an understanding of health and wellbeing issues, at an early stage in the development process, so can be used to shape a development and allow for reasonable and appropriate amendments.	Resource implications with potential significant costs for Council as well as a high level of input from external health agencies to facilitate this approach, albeit potentially to a lesser degree than Option 2.
Recognises that the size of development will determined the type and focus of the Health Impact Assessment.	
Provides consistency and certainty for applicants as to what is expected, as well as flexibility allowing an assessment to be proportionate to the type of development proposed.	

4.12 Option 1 is considered to be a missed opportunity to address health and wellbeing issues, particularly given the role the planning system has to play in supporting strong, vibrant and healthy communities, and in light of the Council's Health and Wellbeing Strategy. Both Options 2 and 3 build upon National Planning Policy and Guidance. However there is likely to be an impact on viability and resources, to a greater or lesser degree for each of these

options. With this in mind, it is suggested that Option 3 allows for greater flexibility and opportunity for a HIA to be proportionate to the type of development that is proposed.

- 4.13 Detailed policy wording will be drafted at a later stage once preferred policy options have been selected but to provide an illustration of possible policy wording, officers have drafted some wording for Option 3. This is included in Appendix B. As previously stated, the plan's supporting text will need to provide important information to explain how the requirements in the policy will be met and how it will be applied.
- 4.14 Furthermore, work is being undertaken with Planning Policy colleagues at Blaby District Council, and also Public Health at Leicestershire County Council, to develop and facilitate the use of HIAs within the planning process. This ongoing joint working is a potential opportunity to provide a consistent approach across the county as well as a positive use of resources and the range of skills available. It is intended that this work will be used to inform future work on the development of HIAs and their application in supporting planning applications, should this be the direction that Local Plan Policy is to take. To support this work, the Town and Country Planning Association (TCPA) have recently been commissioned to assist in exploring ways to facilitate the inclusion of health and wellbeing issues explicitly within Local Plan policy, alongside the collection of local health data in order to provide a profile of the specific issues being faced by the district.

Thresholds/Criteria Based Approach

- 4.15 Option 3 above suggests an approach that would allow for a Health Impact Assessment Screening Statement and/or HIA to be sought.
- 4.16 To progress this option further consideration will need to be given to the thresholds and criteria applied. The first stage in a HIA is the Screening Stage and can be used to identify if a HIA is needed and if one is, what type of HIA should be undertaken. It is therefore suggested that a HIA Screening Statement could be submitted with development proposals that meet a specific threshold or criteria.
- 4.17 When considering the possible threshold one option is to have regard to a key element of government policy which is to provide support for small and medium sized builders. One way to do this is to minimise the burden on such developers. As part of its response to the covid-19 pandemic, the government advised local authorities to seek to reduce the burden on small and medium sized builders by taking a more flexible approach to payments due in connection with S106 Agreements. Small and medium builders were defined as those having a turnover of up to £45m. Therefore, one option would to restrict certain policy requirements so that they did not apply to such builders.
- 4.18 The government has also sought to support smaller developers through the NPPF which requires that 10% of all housing requirements should take place on sites of less than 1ha (which equates to about 30 dwellings). The argument for this is that small and medium builders are more likely to develop such smaller sites than the large builders are. This could, therefore, be another way of minimising the impact on small and medium developers.
- 4.19 Both of these potential thresholds have their merits, although there is no guarantee that a small builder would only build sites of less than 30 dwellings or conversely that a large developer would not build sites of less than 30 dwellings. Therefore, to ensure that any policies which seek to minimise the impact upon small and medium builders are restricted to such developers, it is suggested that a major residential developments be defined as :
- those of 1ha or more or 30 or more dwellings and not developed by a small to medium sized builder, defined as those having a turnover of up to £45m

4.20 An initial Health Impact Screening Statement will be required for the following types of development. Where the initial screening assessment indicated more significant health impacts, a more comprehensive, in depth Health Impact Assessment will be required:

- Residential development sites of 30 dwellings or more, or residential sites with an area of 1.0 ha or more.
- Non-residential development for new or net additional floorspace of 1,000 sqm or more or non-residential development sites of 1 ha or more.
- Change of use applications to:-
 - Restaurants and cafes (Class E)
 - Drinking establishments (Sui Generis)
 - Hot food takeaways (Sui Generis)
 - Residential institutions (Class C2)
 - Non-residential institutions (Class F1)
 - Leisure facilities (Class F2)
 - Betting shops and pay-day loan shops (Sui Generis)

4.21 Whilst the above threshold/criteria would not cover all application types, the intention is to 'catch' those applications that are more likely to have an impact on health and wellbeing, whilst being flexible and proportionate to the development proposed. The range of development proposal is considered to be reasonable and comprehensive and focuses on the development types and uses that are more likely to have an impact on health and wellbeing issues.

4.22 Such a policy could include an additional criteria that specifies an initial Health Impact Screening Statement could also be sought for any other proposal considered by the local planning authority to require one. However, the disadvantage of this is that it would provide a level of uncertainty and questions could be raised about the application of this, for example, what circumstances may arise that may require 'other' proposals to require a screening statement. For this reason, it is not suggested that this additional criteria is included.

4.23 The text of the Local Plan could provide information on the preparation of a screening statement and the type of issues that would need to be addressed. It could also provide information on what could trigger the need for a more comprehensive Health Impact Assessment. It is anticipated that the work currently being undertaken with Public Health England, would also provide some form of guidance to assist with the application of the policy.

5 NEXT STEPS

5.1 A number of options have been put forward in order to address health and wellbeing issues. It is recommended that the above options are included in the next public consultation for the Local Plan Review. Options will also be tested through the Sustainability Appraisal/Strategic Environmental Assessment process.

Policies and other considerations, as appropriate	
Council Priorities:	- Developing a clean and green district - Our communities are safe, healthy and connected
Policy Considerations:	Adopted Local Plan National Planning Policy Framework
Safeguarding:	None discernible
Equalities/Diversity:	The Local Plan Review as an entity will be subject to an Equalities Impact Assessment.
Customer Impact:	None specific

Economic and Social Impact:	The decision, of itself, will have no specific impact. The Substantive Local Plan Review as a whole will deliver positive economic and social impacts and these will be recorded through the Sustainability Appraisal. .
Environment and Climate Change:	The decision, of itself, will have no specific impact. The Substantive Local Plan Review as a whole will deliver positive environmental and climate change benefits and these will be recorded through the Sustainability Appraisal.
Consultation/Community Engagement:	In due course the planning policy implications of the economic evidence set out will be incorporated in a consultation document for the Substantive Local Plan Review. The consultation arrangements will be governed by requirements in the Statement of Community Involvement
Risks:	A risk assessment for the Local Plan Review has been prepared and is kept up to date. As far as possible control measures have been put in place to minimise risks, including regular Project Board meetings where risk is reviewed.
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