

Committee: Planning Policy Working Group

Agenda Item

Date: 12 July 2016

[?]

Title: Local Plan Development Strategy

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Summary

1. This report summarises five potential distribution strategies for the Local Plan and assesses their benefits and risks following an analysis of the evidence base. A hybrid option including a combination of development in new settlement(s), town and villages is recommended as a basis for allocations in the Plan. The report emphasises the need to prepare the Plan in a timely manner.

Recommendations

2. That Planning Policy Working Group recommend to Cabinet that the preferred strategy for the Local Plan is Scenario 5 (Hybrid Distribution Strategy – New Settlement(s), Main Towns and Villages) as attached at the Appendix and that contingency is built into the Plan to allocate further homes if necessary.

Financial Implications

3. The preparation of the Plan will be met from the existing planning budget. There are risks of intervention and costs if the plan is not completed on time and the potential implications of loss of New Homes Bonus if the Council does not produce a plan in timely fashion. There are also the costs of defending appeals against hostile planning applications that may be submitted there is no Plan and secure 5 year land supply in place.
- 4.

Background Papers

5. Inspector's Letter 19 December 2014
Withdrawn Local Plan
PPWG reports endorsing the evidence base

Impact

- 6.

Communication/Consultation	There was extensive consultation on the Local Plan Issues and Options. Town and parish councils were consulted on the findings of the Strategic Land Availability
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	Assessment. A summary of some responses is contained In the Appendix
Community Safety	This is an underlying theme of the Local Plan e.g. planning out crime by design.
Equalities	The Plan will be subject of an equalities impact assessment.
Health and Safety	N/A
Human Rights/Legal Implications	The Local Plan will need to comply with planning legislation.
Sustainability	This is an underlying theme of the Local Plan e.g. ensuring homes and jobs are provided near to each other and minimising reliance on the private car
Ward-specific impacts	Some wards may be affected by site specific proposals but the overall distribution strategy for the Plan is a matter for all wards.
Workforce/Workplace	It is a Council Plan, to be contributed and owned by all staff, not just the planning policy team. The progress and approval of the plan is key to the delivery of the Council's objectives and work of all staff and because of the potential financial implications could impact on the size and shape of the workforce.

Situation

7. The previous Local Plan was withdrawn in January 2015 following the Inspector's findings in December 2014. The principal concerns of the Inspector related to objectively assessed housing need (OAN) for the District and proposals for a major extension to the village of Elsenham. Since then the Council has undertaken an exhaustive evidence gathering exercise to underpin the preparation of the new Plan. This has included a "call for sites" during spring and summer of last year which attracted over 300 submissions and the Issues and Options consultation during late autumn which elicited approximately 7,000 responses from nearly 700 bodies. The findings of both exercises were summarised and reported to PPWG earlier this year.
8. Technical studies have been commissioned or undertaken in-house to cover the following areas:- Strategic Housing Market Assessment (SHMA), Strategic Land Availability Assessment,(SLAA), Strategic Flood Risk Assessment (SFRA), Green Belt Review, Transport, Employment Land, Retail and the Countryside Protection Zone.

9. The SHMA relates to the housing market area which covers East Herts, Epping Forest and Harlow as well as Uttlesford and sets out the overall Housing requirement between 2011- 2033. The total figure is approximately 49,000 homes of which Uttlesford's requirement is around 12,500. Taking into account completions and existing permissions means that the Council has to allocate approximately 4,600 homes in the Local Plan.
10. The SLAA is an assessment of sites for residential or employment use to determine whether they are deliverable. In making this assessment the Council will consider the "suitability", "achievability" and "availability" of a site.
11. The SFRA is a planning tool that will assist the Council in its selection and development of sustainable development sites away from vulnerable flood risk. The purpose of this SFRA is to provide an updated high level assessment and mapping of flood risk from all sources across the district.
12. The Green Belt Review and Countryside Protection Zone (CPZ) Review adopted similar methodologies by identifying specific parcels of land and then applying the purposes of the designation to those parcels. Both studies concluded that there were no fundamental changes required to the boundaries of either the green belt or CPZ.
13. Whilst most of these studies have been concluded some, notably Transport and Employment are ongoing, albeit interim findings have shaped thinking. The conclusions of this report must, therefore, be caveated as some final pieces of evidence are outstanding. The findings of those studies that have been concluded have all been endorsed at previous meetings of PPWG as underpinning the evidence base for the Plan and can be viewed on the Council's website. These studies will ensure that informed decisions are taken about the preparation of the Plan.
14. The Council adopted a revised Local Development Scheme (effectively the plan making programme) in February 2016. Given the Government pronouncements in July 2015 about potential intervention if plans were not "produced" by March 2017, the Council approved an accelerated programme for the preparation the Plan. The Council intends to "publish" the Plan in November 2016; there will be consultation on the draft Plan prior to formal submission. It is important at this juncture, therefore, that there is exposure and endorsement for the overarching strategy for the Plan; effectively it's "direction of travel". This will form the basis for the specific site allocations etc. which will be subject of the sustainability appraisal and further Member consideration and consultation later this year.
15. A key issue facing the Council is whether to consider the principle of a new settlement (or settlements) as part of the distribution strategy. A report to that effect was considered by PPWG, Cabinet and Full Council in March 2016. Council resolved "That a new settlement (or settlements) should continue to be investigated and analysed alongside all other possible options for housing and employment distribution and should not be dismissed at this stage from the potential options for inclusion in the Local Plan".

16. Whilst the content of this report has a firm focus on housing provision it must be remembered that the Local Plan aims to realise sustainable development in Uttlesford and the three economic, social and environmental themes set out in the National Planning Policy Framework (NPPF). Specifically infrastructure such as roads, schools and health provision must be delivered in a timely manner to ensure sustainable growth. Equally, the Local Plan will need to reflect the aspirations of the Co-op Board for Sustainable Development, comprising the four Strategic Housing Market Area Authorities of Epping Forest, East Herts, Harlow and Uttlesford. It is anticipated that memoranda of understanding between the authorities relating to the geographical distribution of development across the overall Strategic Housing Market Area, transport and air quality will be signed. These memoranda will be submitted as evidence that the authorities have fulfilled their legal commitment under the Duty to Co – operate.
17. The SHMA commissioned by the four authorities has recommended that Uttlesford’s objectively assessed need is 580 dwellings per annum. However, there are outstanding issues facing the Council which may impact on the site specific allocations and draft plan to follow. These are: firstly; the outcome of two outstanding planning appeals at Elsenham and Dunmow which may have an impact on the overall housing land supply and the potential location of a new settlement; and secondly: that an Inspector at Local Plan Examination accepts the robustness of the Council’s housing figures. Whilst the latter has been tested on appeal and the Council is confident about the SHMA it is recommended that it is prudent to contingency plan to ensure that the Council achieves a “sound “Plan, giving it certainty and flexibility long term. (see paragraph 16).
18. The Issues and Options consultation included seven different development scenarios for housing growth; four based on the Council’s Objectively Assessed Housing Need (OAN) of 580 dwellings per annum and three on a higher figure of 750 dwellings, to test the implications of greater growth.
19. As there was some duplication of scenarios at that stage (i.e. the two options of new settlement or settlements and a hybrid were used for the lower and higher housing figure), for the purposes of analysing the endorsed evidence base this has been simplified to five. The five scenarios are:-
 - 1) All development allocated in new settlement(s)
 - 2) All development pepper potted in villages
 - 3) All development in the two main towns (Saffron Walden and Great Dunmow)
 - 4) Combination of development in main towns and villages
 - 5) Hybrid involving new settlement(s), main towns and villages
20. The Council now needs to decide in principle the overall distribution strategy for the Plan. The Issues and Options consultation proposed seven distribution

strategies which were the subject of detailed analysis by statutory consultees and town and parish councils. Officers have now considered the distribution scenarios as to how they could deliver 4,600 dwellings and this is summarised in the Appendix attached. There was a cross-party Member workshop on 28 June which considered the overall benefits and risks of the scenarios. These are summarised as follows:

21. The Council now needs to decide in principle the overall distribution strategy for the Plan. This has been the subject of detailed analysis by officers of the Council, statutory consultees, town and parish councils, external experts etc. and is summarised in the Appendix attached. There was a cross-party Member workshop on 28 June which considered the overall benefits and risks of the scenarios. These are summarised as follows:-

1) All development allocated in new settlement(s)

Benefits

- Comprehensively plan the provision of infrastructure
- Critical mass to provide additional infrastructure
- Reduces development pressure on the historic settlements

Risks

- Relying on only 1 or 2 large sites to deliver the housing
- Deliverability within the Plan period
- Deprives other settlements of sustainable growth
- Negative impact on 5 year land supply

Conclusion - not a sound distribution strategy.

2) All development pepper potted in villages

Benefits

- Sustains village vitality

Risks

- Scale of development is likely to have a detrimental impact on their character, the countryside and the highway network in many circumstances
- uncertainty that the scale of individual developments would provide the infrastructure required - Infrastructure deficit

Conclusion - not a sound distribution strategy

3) All development in the two main towns (Saffron Walden and Great Dunmow)

Benefits

- Generally sustainable locations for development
- Supports existing services and facilities
- Help improve infrastructure deficit

Risks

- Significant impact on their historic character and landscape setting
- Restriction of the pooling of S106 for infrastructure.
- Insufficient deliverable sites

Conclusion - not a sound distribution strategy.

4) Combination of development in main towns and villages

Benefits

- Towns are generally sustainable locations for development,
- Sustains village vitality and diversity

Risks

- Some villages are more constrained than others – could result in disproportionate growth
- Uncertainty that the scale of individual developments would provide the infrastructure required - Infrastructure deficit

Conclusion – potentially a sound option but not recommended

5) Hybrid involving new settlement(s), main towns and villages

Benefits

- Towns are generally sustainable locations for development,
- Provides an opportunity for some growth to sustain village vitality in the most sustainable locations
- New settlements allows us to provide for the highest level of infrastructure demands and comprehensively meet development needs
- Reduces development pressure on the historic settlements
- Helps to maintain a 5 year supply of housing
- It can lessen the impact on the highway network

Risks

- Similar to scenarios 1-4 but to a lesser degree
- Loss of countryside
- Development may have detrimental impact on historic character of existing settlements

Conclusion – Preferred distribution strategy

22. Additional unidentified housing referred to earlier in this report can be met in a number of ways; these include future proofing by an early review of the Plan. This will not delay the Plan and is an accepted approach by the Planning Inspectorate (PINS). There is also the potential for allocating contingency sites which can be brought forward into the Plan period if required.

23. Overall it is recommended that the hybrid distribution strategy represents the best option for a “sound” plan, being sustainable, deliverable and accommodating potential contingency growth.
24. The Council needs to move into the next stages of plan preparation. Critically, this involves the finalisation of the evidence base referred to above; sustainability appraisal of specific site allocations; and, further dialogue with the community in taking the Plan forward. PPWG are recommended to endorse the overall development strategy set out in the report at this stage as the preferred way forward for the Plan which will be considered by Cabinet and Council.

Risk Analysis

6)

Risk	Likelihood	Impact	Mitigating actions
The Council fails to adopt a “sound” Plan	2 – Unlikely..	3 – Will result in the Local Plan being found unsound. Significant impact on planning policy and planning applications.	The Council has an adopted SHMA, undertaken a review of the evidence base, appraised the development scenarios and will undertake a sustainability appraisal of allocations Duty to Co-operate discussions are nearing conclusion. The Council continues to monitor the outcome of other examinations, legal challenges and receives advice from critical friends.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.