

LOCAL PLAN SUB-COMMITTEE – 7 FEBRUARY 2019

PART I – NOT DELEGATED

7. LOCAL PLAN UPDATE (DCES)

1 Summary

1.1 To provide Members with updates in relation to:

- Potential Sites Document
- Additional sites
- Strategic Housing and Employment Land Availability Assessment (SHELAA)
- Evidence Base
- Drafting of Local Plan policies
- Brownfield Land Register
- Annual Monitoring Report and 5 Year Housing Land Supply

2 Details

2.1 *Potential Sites Consultation*

2.1.1 The Council has completed a non-statutory 8 week consultation on the Potential Sites Document. The document included sites submitted by land owners and developers through the Council's Call for Sites exercises, together with sites previously considered for allocation but rejected in the existing Local Plan.

2.1.2 Over 3,000 responses were received. A summary of responses will be provided to the sub-committee at a later meeting. These will feed back into the detailed site assessments forming part of the Strategic Housing and Employment Land Availability Assessment (SHELAA).

3 Additional Sites

3.1 Alongside the Potential Sites consultation the Council also ran another Call for Sites. A further 25 sites were submitted. These can be viewed in Appendix 1. These will be assessed alongside the sites that were included in the Potential Sites consultation as part of the SHELAA process.

4 Strategic Housing and Employment Land Availability Assessment (SHELAA)

4.1 The SHELAA is an assessment which identifies sites and broad locations with potential for development. It assesses their development potential, suitability for development and the likelihood for development coming forward. The SHELAA together with the Sustainability Appraisal and evidence base studies will be the basis of which the Council makes its decisions on which sites to allocate for development in the new Local Plan.

- 4.2 The site assessments will assist us in determining whether the sites are:
- Suitable for development – (considering issues such as flood risk, surface water flooding, contamination issues, Article 4 Directions, agricultural land classification etc.)
 - Available for development – (considering land ownership, for example issues with multiple owners/ransom strips and whether there is a history of unimplemented planning permissions)
 - Achievable – (is there a demand for the proposed use? Is it viable?)
 - Development potential – (look at what can realistically be achieved on site, for example number of dwellings/type of use etc.)
 - When taking all the above into consideration, determining the likely timescales that the site can be delivered

5 Evidence Base

- 5.1 Work continues on the evidence base for the Local Plan. The following studies have been completed or are near completion:
- 5.2 **Green Belt Stage 1 Review** – (joint study with Watford Borough Council) - an objective study which considers the extent to which land meets the 5 purposes of Green Belt set out in the NPPF (2018). These are to:
- check unrestricted sprawl of large built-up areas;
 - prevent neighbouring towns merging into one another;
 - assist in safeguarding the countryside from encroachment;
 - preserve the setting and special character of historic towns; and
 - assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.3 The Review does not take account of any development proposals (strategic or otherwise) or sites being promoted through the plan-making process. For this initial Review parcels of land were defined at a strategic scale to give an overview of the contributions of the land to Green Belt purposes in the context of its role as part of the Metropolitan Green Belt.
- 5.4 The study found that all the Green Belt across the District made at least some contribution, and in most cases a significant contribution to the 5 purposes of Green Belt.
- 5.5 A further review looking at smaller parcels of land will be undertaken in a Green Belt Stage 2 Review (see paragraph 5.1.18).
- 5.6 **Retail & Leisure Study** – a joint study (South West Herts Local Planning Authorities) that establishes an understanding of existing retail and leisure provision across the study area in relation to:
- convenience goods shop floorspace (everyday essential items, such as food)

- comparison goods shop floorspace (retail items not bought on a frequent basis, for example televisions, fridges, dishwashers etc.)
- commercial Leisure (cinemas, restaurants, pubs/bars/nightclubs, bowling, bingo, theatres, museums etc.).

The study provides:

- an objective assessment of future retail and leisure development needs
- recommends future strategies for retail, town centre and leisure development, and
- a review of the hierarchy of the retail centres¹

- 5.7 The study looked at the viability and vitality of the District's main retail centres by considering the composition of centres (i.e. the types of uses), vacancies, pedestrian flows, accessibility, environmental quality, perception of safety, customer views and stakeholder feedback.
- 5.8 The Study's findings and recommendations will be the subject of a Retail Topic Paper (see paragraph 1.6.1) for the Local Plan Sub Committee to consider at a future meeting.
- 5.9 **Strategic Flood Risk Assessment (Level 1)** - a joint study with Dacorum, Watford and St Albans. The Strategic Flood Risk Assessment (SFRA) is nearing completion. The study involves a broad, high-level screening of the study area against fluvial and surface water flood risk.
- 5.10 The Level 1 SFRA analyses information and data for current and future flood risk. All potential sources of flooding are considered, including main rivers, ordinary watercourses, surface water, ground water and sewer flooding. Data on historic flooding incidents also inform findings of the SFRA. The study also considers how risks may be mitigated and assesses the current condition and standard of protection from existing flood defences.
- 5.11 Cross-boundary considerations have been made by assessing broad catchment areas where the cumulative impact of development may be detrimental to flood risk.
- 5.12 The study summarises the flood risk of potential sites for allocation across the study area. Maps presenting flood zones, flood risk from multiple sources and areas with opportunities for natural flood management will be produced as part of the study. The SFRA will also provide general advice to planners and developers about sources of flood risk mapping, flood risk from potential sources and the requirements of a Flood Risk Assessment, which are undertaken in relation to specific sites.
- 5.13 A Level 2 SFRA, which provides recommendations and potential measures for managing flood risk, will be undertaken for sites that have been identified as 'at risk'

¹ As currently defined in Figure 7.1 of the Core Strategy (2011) (Town Centre, District Centres, Local centres and Local Shops)

(i.e. in Flood Zones 2 and 3). The findings of this study will help inform the site assessment process as we progress the Local Plan.

- 5.14 **Local Housing Need Assessment** (SHMA update) – establishes the overall housing need across the South West Herts Housing Market Area. Looks at the affordability of the different types of affordable housing set out in the NPPF 2018 and will determine the affordable housing ratios/requirements for SW Herts area, as well as the housing types and tenures.
- 5.15 **Economic Study** – (Update) - provides an understanding of the functional economic area covering South West Hertfordshire. Provides an objective assessment of long-term employment needs, including current and future supply. It will assess the Council's possible planning and strategic economic responses, including the quantum, location and type of jobs and land use allocations required to meet these identified needs.
- 5.16 **Open Space, Sport & Recreation Study** – a joint study with Dacorum, Hertsmere and St Albans. This will determine the provision and quality of existing facilities, identify any surplus or deficit of provision, establish the likely future needs, and assist us setting new provision standards in the Local Plan. The study consists of:
- **Open Space Assessment** – provides detail with regards to what open space² provision exists in the area, its condition, distribution and overall quality. It will also consider the future requirements for provision and direction on future provision of accessible and high-quality provision for open spaces.
 - **Indoor Leisure Facilities and Needs Assessment** – it is an assessment of need for sports halls, health and fitness and specialist facilities and looks at all indoor and built facilities³ for sport and physical activities including community centres and village halls. The study will identify any deficiencies and/or surpluses of provision and identify opportunities for new, enhanced and rationalised provision.
 - **Playing Pitch Strategy Assessment** – is a supply and demand assessment of playing pitch and other outdoor sports facilities⁴ in accordance with Sport England's Playing Pitch Strategy Guidance and Assessing Needs and Opportunities guidance.
- 5.17 The study is due to be finalised by the end of April and will inform topic papers to be considered by the Local Plan Sub Committee at future meetings.
- 5.18 **The Green Belt Stage 2 Review** will shortly be going out for tender. This study will provide a more detailed analysis of smaller scale parcels and their performance against the 5 purposes of Green Belt as set out in the NPPF (2018). It should be noted that even if parcels of land are found to be making a positive contribution to the Green Belt purposes, this does not mean that it cannot be developed. There may be

² Open Space includes parks and gardens, natural and semi-natural greenspaces, amenity green space, provision for children and young people and allotments.

³ Indoor Sports facilities include sports halls (including school sports halls), swimming pools, health and fitness suites, dance studios, gymnastics provision, indoor bowls, squash courts, village/community halls.

⁴ Outdoor sports facilities include football, rugby union, rugby league, hockey, cricket, bowls, tennis, athletics (including road running), netball, golf, water sports facilities, archery, cycling

exceptional circumstances that warrant Green Belt removal, such as sustainability of a site.

6 Drafting of Local Plan policies

6.1 The Local Plans team will shortly begin work on drafting policies for the Local Plan. The first phase will be the provision of topic papers for Members. These will cover specific topic areas such as retail, infrastructure, community facilities, sustainable transport, green infrastructure etc. These topic papers will be the basis of which the policies will emerge.

6.2 The topic papers will be formatted as follows:

- Provide an introduction to the topic area;
- Summarise the relevant legislation, policy and guidance;
- Summarise the key issues around the topic, including relevant evidence base studies; and
- Provide a number of policy options for Members to consider

7 Brownfield Land Register

7.1 The Brownfield Land Register was updated in December 2018. The Register identifies previously developed sites in the District that have been assessed against the criteria set out in the Brownfield Land Register Regulations (2017). These Criteria are the same as those used in assessing sites for the SHELAA (suitable, available, and achievable). This is our primary source of deliverable brownfield sites.

8 Annual Monitoring Report and Housing Land Supply Update

8.1 The Annual Monitoring Report (AMR) 2017/2018 including the Housing Land Supply Update was published on the Council's website in December 2018.

8.2 During the monitoring year 976 full planning applications were determined. Of these, 862 were approved (88%) and 114 were refused (12%). Of the 64 planning appeals that were determined by the Planning Inspectorate, 21 were allowed (33%) and 43 were dismissed (67%). 264 (net) new homes were built between 1 April 2017 and 31 March 2018. 67.8% of these were built on previously developed land.

8.3 90 affordable dwellings were completed in the 2017/2018 monitoring year. Since the start of the plan period in 2001, 933 gross affordable homes have been completed, which amounts to 24.5% of a total 4,047 gross dwelling completions. This is a 2.5% increase when compared to the previous monitoring year.

8.4 The Housing Land Supply Update shows that as of 31 March 2018 the Council can only demonstrate 3.7 years supply of deliverable housing against the annual residual housing target of 438 dwellings per annum calculated using the Government's 'Standard Methodology' of calculating housing need. As such, the current Local Plan is considered out of date as per footnote 7 of the revised NPPF (2018). This means that paragraph 11d) of the NPPF applying the presumption in favour of sustainable development should now be used for decision-taking. Paragraph 11d) states the following:

Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

9 Options and Reasons for Recommendations

9.1 The Council have a legal requirement to produce a Local Plan.

10 Policy/Budget Reference and Implications

10.1 The recommendations in this report are within the Council's agreed policy and budgets.

11 Financial, Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

11.1 None specific.

12 Recommendation

12.1 That the Local Plan Sub Committee note the contents of this report.

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Background Papers

National Planning Policy Framework

Planning Practice Guidance

Annual Monitoring Report 2017/2018

Brownfield Register 2018

Potential Sites Document for Consultation 2018

APPENDICES

Appendix 1: Additional Sites