

LOCAL PLAN SUB-COMMITTEE - 22 JANUARY 2020

PART I - NOT DELEGATED

5. UPDATE ON THE LOCAL PLAN (DCES)

1 Summary

1.1 This report provides an update on the progress made on the technical studies identified in the report to the Policy & Resources Committee on 7 October 2019 and proposes a revised timetable for the production of the Local Plan.

2 Details

2.1 The report to the Policy & Resources Committee on 7 October 2019 provided an overview of the evidence based studies that have so far been completed and those that were still required.

2.2 This report provides an update on the following technical studies:

- New Settlement Scoping
- Transport Modelling

2.3 New Settlement Scoping

2.4 The report to the Policy & Resources Committee set out that having carried out an initial objective assessment of the sites (taking account of the evidence base studies undertaken so far, statutory consultee comments and the Sustainability Appraisal), that it was the Officers' opinion that approximately only 40–50% of the housing needs target, set by the Government's 'standard methodology'¹, could be accommodated within the urban areas of the District and in locations adjacent to the urban area².

2.5 National Planning Policy and Inspectors decisions make it clear that there is a stepped process. The priority is always to accommodate needs within the existing urban area and brownfield sites and then to look at sustainable locations at the edge of settlements and villages and then to look at meeting any shortfall in other ways such as new settlements as well as asking neighbouring authorities to meet any shortfall through the Duty to Cooperate.

2.6 The report also advised that it would be necessary to look at whether there were any potential locations that could accommodate a new settlement or settlements and that this would be done through a New Settlement Scoping exercise.

2.7 This scoping exercise was to:

- look at the edge of existing settlements to identify any land that had not been considered through the SHELAA (not put forward as part of any of the Call for

¹ Paragraph 60 NPPF requires local housing needs should be calculated by using standard methodology set out in Planning Practice Guidance <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

² Paragraph 138 requires that LPAs consider the consequences for sustainable development of channelling development towards urban areas (edge of settlements).

Sites exercises) as national policy requires that edge of settlement is considered prior to a new settlement.

- look at areas outside of the settlement boundaries to determine if there were any opportunities for a new settlement or settlements.

2.8 The initial findings of the scoping exercise has identified 17 sites located at the edge of existing settlements that need to be assessed through the Strategic Housing Land Availability Assessment and 3 possible locations for a new settlement or settlements.

2.9 It is now necessary for a further, more detailed piece of work to be done to determine whether any of the locations could be delivered and if so, within the Plan period.

2.10 Transport Modelling

2.11 The report to the Policy & Resources Committee set out that the high level results of Hertfordshire County Council's County Wide Transport Model (COMET) were expected in December 2019. We have been advised that these will not be available until the end of March 2020.

2.12 This is required to identify the potential scale of the impacts to the transport network in relation to both large scale strategic sites as well as the cumulative impact of proposed growth. It will identify the need for potential transport interventions which will be modelled and costed and included in the Infrastructure Delivery Plan.

2.13 The report also advised that HCC would require that further specific analysis be undertaken on any strategic sites and that if a new settlement is identified that that would need separate transport modelling.

2.14 Timetable for the production of the Local Plan

2.15 The timescales for the production of the Local Plan have been reviewed to enable further technical work to be undertaken as a result of New Settlement Scoping exercise and for the necessary transport modelling to be completed.

2.16 The Council is required to prepare and regularly review the LDS under the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must be made publicly available and kept up to date to ensure that local communities and interested parties can keep track of progress. The LDS must also be published on the Council's website.

2.17 Planning Practice Guidance, re-iterates that Local Development Schemes must be produced in compliance with the data standard for this purpose published by MHCLG and that it is expected to be reviewed and updates at least annually but may need updating more frequently if there are any significant changes in the timescales of the plans being prepared.

2.18 The Local Development Scheme (LDS) has been reviewed and is attached at Appendix 1. Members should note that the Local Development Scheme may have to be reviewed further depending on the findings of the evidence based studies.

3 Options and Reasons for Recommendations

3.1 The Council is required to prepare and regularly review the LDS under the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). An up-

to-date LDS is an essential tool for the Council to effectively manage document production and for monitoring to take place.

4 Policy/Budget Reference and Implications

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

5 Financial, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website,

5.1 None specific.

6 Legal Implications

6.1 The Council is required to prepare and regularly review an LDS under the provisions of the Planning and Compulsory Act 2004 as amended by the Localism Act 2011.

7 Risk Management and Health & Safety Implications

7.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

7.2 The subject of this report is covered by the Economic and Sustainable Development service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this plan.

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(tolerate, treat, terminate, transfer)</i>	Risk Rating <i>(combination of likelihood and impact)</i>
lack of an up-to-date LDS could lead to legal challenge	Local Plan could be found not to be 'sound' at examination	Regularly review the LDS		Medium 6

The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely ↓ Likelihood	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12

	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4
	Impact			
	Low -----> Unacceptable			

Impact Score

4 (Catastrophic)

3 (Critical)

2 (Significant)

1 (Marginal)

Likelihood Score

4 (Very Likely (≥80%))

3 (Likely (21-79%))

2 (Unlikely (6-20%))

1 (Remote (≤5%))

7.3 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

8 Recommendation

8.1 That the Local Plan Sub Committee:

- Note the contents of this report, and
- Recommend to the Policy & Resources Committee the revised Local Development Scheme as set out in Appendix 1 to this report.

Background Papers

National Planning Policy Framework (2019)

Planning Practice Guidance

Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Local Development Scheme (October 2019)

Policy & Resources Committee Report 7 October 2019 (Local Development Scheme)

Policy & Resources Committee Report 7 October 2019 (Update on the Local Plan)

APPENDICES

Appendix 1 Local Development Scheme 2020.