



<b>Report for:</b>	<b>Cabinet</b>
<b>Date of meeting:</b>	<b>17 October 2017</b>
<b>PART:</b>	<b>1</b>
If Part II, reason:	

<b>Title of report:</b>	<b>DACORUM LOCAL PLAN REVIEW</b>
Contact:	<ul style="list-style-type: none"> <li>• Graham Sutton, Portfolio Holder for Planning and Regeneration</li> <li>• James Doe, Assistant Director – Planning, Development and Regeneration</li> <li>• Laura Wood, Team Leader – Strategic Planning and Regeneration (Strategic Planning)</li> </ul>
Purpose of report:	To agree the Local Plan Issues and Options document for consultation.
Recommendations	<p>That Cabinet:</p> <ol style="list-style-type: none"> <li>1. Agree the following for consultation:             <ol style="list-style-type: none"> <li>a) Issues and Options consultation document (Annex 1)</li> <li>b) Draft Schedule of Site Appraisals (Annex 2)</li> <li>c) Sustainability Appraisal Working Note – Issues and Options document (Annex 3).</li> <li>d) Sustainability Appraisal Working Note – Schedule of Site Appraisals (Annex 4)</li> </ol> </li> <li>2. Delegate authority to the Assistant Director for Planning and Regeneration, in consultation with the Planning and Regeneration Portfolio Holder, to:             <ol style="list-style-type: none"> <li>a) agree detailed consultation arrangements; and</li> <li>b) Make any minor changes to the documents referred to above before they are finally published.</li> </ol> </li> </ol>
Corporate objectives:	<p>The scope of the Local Plan means that once finalised it will help support all 5 corporate objectives:</p> <ul style="list-style-type: none"> <li>• <i>A clean, safe and enjoyable environment:</i> contains requirements relating to the design and layout of new development sites that help promote security and safe access.</li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Building strong and vibrant communities:</i> - provides a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans etc.</li> <li>• <i>Ensuring economic growth and prosperity:-</i> allocates and protects land for uses that provide employment opportunities.</li> <li>• <i>Providing good quality affordable homes:</i> - sets out how the Borough's overall housing target will be met, together with requirements for affordable homes.</li> <li>• <i>Delivering an efficient and modern Council</i> – by helping to provide a clear framework upon which planning decisions can be made.</li> </ul>
<p>Implications:</p>	<p><u>Financial:</u> The process of preparing the new Local Plan has financial implications. The Council has baselined the funding required by allocating £300k per annum into the ongoing annual revenue budget. This figure is based on the historic three year average expenditure that has been incurred when preparing the previous iteration of planning documents (the Core Strategy and Site Allocations Development Plan Documents).</p> <p>The historic reserve that has been used to smooth expenditure peaks and troughs is anticipated to be completely used by the end of 2017/18 once the remaining £38k has been drawn down.</p> <p>Having an up to date planning policy framework through the statutory Local Plan helps reduce the incidence of planning appeals (and thus costs associated with those). It will also be the most effective way of ensuring the optimum level of developer contributions to infrastructure and therefore mitigation of development impacts can be achieved.</p> <p><u>'Value for Money'</u> The Council has achieved, and will continue to achieve, 'value for money' by preparing joint technical studies to support the content of the new Local Plan where possible.</p>
<p>Risk Implications</p>	<p>A full risk assessment has been carried out as part of the Project Initiation Document (PID) for the Local Planning Framework. These risks are reviewed monthly through ROCKET (the Council's performance management software) and reported each year through the Authority Monitoring Report (AMR). The progress of the Local Plan will be monitored monthly through the Corporate Growth and Infrastructure Group and Cabinet annually. Identified risks include failure of external agencies or consultants to deliver on time, change in Government policy and team capacity. Risks of not progressing the plan review include the likelihood of a significant increase in speculative planning applications (and potentially appeals), particularly for housing development in the Green Belt, which would prove hard to defend. There would also be financial implications i.e. extra costs associated with planning appeals and inquiries.</p>

	Risks continue to be minimised through the continued use of a specialist external legal adviser, as necessary.
Community Impact Assessment	A Community Impact Assessment and Equalities Impact Assessment are currently being prepared. The independent Sustainability Appraisal Working Note which accompanies the Issues and Options paper concludes that this first stage of the plan-making process avoids any discrimination on the basis of disability, gender or ethnic minority.
Health and Safety Implications	None.
Monitoring Officer/S.151 Officer Comments	<p><b>Monitoring Officer:</b></p> <p>The Local Plan forms part of the Council's policy framework and must be prepared in accordance with statutory processes. These include conformity with the Town and Country Planning (Local Planning) (England) Regulations 2012. This process will ensure the Council complies with its legal requirements to keep the Local Plan up-to-date, including complying with the Core Strategy Inspector's requirement for 'early partial review'.</p> <p><b>S.151 Officer:</b> No further comments to add to the report.</p>
Consultees:	<p>Consultation on the new Local Plan will be carried out in accordance with the Council's Statement of Community Involvement (SCI). This reflects the requirements set out by Government within the relevant planning regulations.</p> <p>Some initial informal consultation has already taken place with Members and key stakeholders. This includes:</p> <ul style="list-style-type: none"> <li>• Briefing for Borough Councillors;</li> <li>• Briefing for Town and Parish Councils (with separate briefings for Tring and Berkhamsted Town Councils);</li> <li>• Meetings with infrastructure providers;</li> <li>• Discussions with Hertfordshire County Council (HCC) education department regarding implications of different growth scenarios on school capacities; and</li> <li>• Duty to Co-operate meetings with adjoining local authorities.</li> <li>• Mark Gaynor, Corporate Director Housing and Regeneration.</li> <li>• Corporate Management Team</li> <li>• Senior Officers through the Corporate Growth and Infrastructure Group.</li> </ul> <p>The Planning and Regeneration Portfolio Holder has also been separately briefed regarding the specific content of the Issues and Options document.</p>
Background	<ul style="list-style-type: none"> <li>• Dacorum Borough Local Plan 1991-2011 (April 2004)</li> <li>• National Planning Policy Framework (NPPF).</li> </ul>

papers:	<ul style="list-style-type: none"> <li>• Planning Practice Guidance (PPG).</li> <li>• Core Strategy DPD (September 2013)</li> <li>• Site Allocations DPD (July 2017)</li> <li>• Statement of Community Involvement (July 2016)</li> <li>• Local Development Scheme 2016-18 (January 2016), with associated timetable update (December 2016).</li> <li>• Housing White Paper (February 2017) ('Fixing our Broken Housing Market')</li> <li>• Planning for the right homes in the right places: consultation proposals, DCLG (14 September 2017)</li> <li>• Technical studies – as listed at <a href="http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/new-single-local-plan/technical-work-for-the-early-partial-review">http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/new-single-local-plan/technical-work-for-the-early-partial-review</a></li> </ul>																								
Glossary of terms and any other acronyms used in this report	<table border="0"> <tr><td>DCLG</td><td>Department for Communities and Local Government</td></tr> <tr><td>DPD</td><td>Development Plan Document</td></tr> <tr><td>InDP</td><td>Infrastructure Delivery Plan</td></tr> <tr><td>LDS</td><td>Local Development Scheme</td></tr> <tr><td>NPPF</td><td>National Planning Policy Framework</td></tr> <tr><td>OAN</td><td>Objectively Assessed Need</td></tr> <tr><td>PPG</td><td>Planning Practice Guidance</td></tr> <tr><td>SCI</td><td>Statement of Community Involvement</td></tr> <tr><td>SHMA</td><td>Strategic Housing Market Assessment</td></tr> <tr><td>SPD</td><td>Supplementary Planning Document</td></tr> <tr><td>SPG</td><td>Supplementary Planning Guidance</td></tr> <tr><td>DBLP</td><td>Dacorum Borough Local Plan</td></tr> </table>	DCLG	Department for Communities and Local Government	DPD	Development Plan Document	InDP	Infrastructure Delivery Plan	LDS	Local Development Scheme	NPPF	National Planning Policy Framework	OAN	Objectively Assessed Need	PPG	Planning Practice Guidance	SCI	Statement of Community Involvement	SHMA	Strategic Housing Market Assessment	SPD	Supplementary Planning Document	SPG	Supplementary Planning Guidance	DBLP	Dacorum Borough Local Plan
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## **BACKGROUND**

### **1. INTRODUCTION**

- 1.1 All Councils are required by law to produce a Local Plan and keep it up to date. Dacorum's current Local Plan is made up of the following:
- Core Strategy Development Plan Document (DPD) (adopted September 2013);
  - Site Allocations Development Plan Document (DPD) (adopted July 2017); and
  - 'Saved' parts of the Dacorum Borough Local Plan 1991-2011 (adopted May 2004).
- 1.2 These written documents are accompanied by a Policies Map which shows the boundaries of the allocations and designations set by the planning policies.
- 1.3 As Cabinet will be aware, in finding the Core Strategy to be 'sound,' the Planning Inspector required the Council to agree to carry out an 'early partial review' of this document. This review should look again at:
- (a) Household projections;
  - (b) The role and function of the Green Belt affecting Dacorum, including long-term boundaries and the potential to safeguard land beyond 2031; and
  - (c) The role that effective co-operation with local planning authorities could play in meeting any housing needs arising from Dacorum. This element will include St Albans District and relevant areas lying beyond the Green Belt.
- 1.4 The Local Development Scheme (LDS), adopted in January 2016 sets out the scope and programme for this review process. The timetable within it was updated in December 2016. It clarifies that this review will merge the existing Core Strategy and Site Allocations DPDs and incorporate a series of new Development Management policies into a new single 'Local Plan' for Dacorum Borough. As Government requires Local Plans to cover a minimum 15 year period (measured from the date of their adoption), this new plan will cover the period to 2036.
- 1.5 It is very important to continue to have an up-to-date Local Plan in place. Without this document the control that the Council would have over the location of new development and the provision of infrastructure would be greatly reduced. Sites could also be promoted for development in locations that the Council and its communities want to protect.

### **2. ISSUES AND OPTIONS**

#### Scope of document

- 2.1 The first formal stage of consultation on a new Local Plan is the 'Issues and Options.' As its title suggests, this sets out the planning issues that face the

area over the next 20 years and broad options for how they could be addressed.

- 2.2 The greatest challenge for the new Local Plan relates to the rising demand and requirement for new housing. The main focus of this document is therefore to explore the growth needs in Dacorum and how far these needs should be met. This includes setting out the principles we propose to use when choosing broad locations for new development. The detail of the actual development sites and planning policies will evolve as the new Local Plan progresses.
- 2.3 The document is divided into three main parts:
  - 1) A vision for the new Local Plan, accompanied by a series of high level objectives;
  - 2) A summary of the main issues facing Dacorum when planning for growth; and
  - 3) A discussion on how this future growth could be accommodated.
- 2.4 Issues are grouped under the headings of: 'Our towns, villages and countryside'; 'Homes'; 'Jobs'; 'Our environment'; and 'Infrastructure'. This is followed by a separate section putting forward 7 potential growth scenarios. These relate to three levels of growth (draft Government figure; locally assessed need and upper Government figure) and three potential growth distributions (focus on the three towns, focus at Hemel Hempstead; and a more even distribution of growth across the Borough).
- 2.5 Feedback is sought through the consultation on each issue and growth option raised through a series of "yes / no" questions, with the opportunity for respondents to explain the reasons for their answers.
- 2.6 On 14 September 2017 the Government published a consultation document '*Planning for the right homes in the right places*,' which suggests a new standard approach to calculating housing need. This aims to reduce the differences in the approaches taken by Strategic Housing Market Areas (SHMA) across the country and tries to make the process faster, less technical and more transparent. The consultation document is accompanied by an indicative assessment of housing need for each local authority based on the Government's proposed formula. The Government's approach to housing need differs according to whether an authority has an up to date Local Plan (i.e. one that is less than 5 years old) or not. Because Dacorum's Core Strategy is currently less than 5 years old, our draft figure is 602 homes / year. This is based on the government applying a 40% increase on the current housing target of 430 homes a year. If the proposed formula for authorities with older plans is used, this figure rises to around 1,000-1,100 homes / year. The consultation indicates that this higher figure would need to be used once the Core Strategy is more than 5 years old i.e. from September 2018 onwards. Although this may be confusing to the public the figure of 602 homes/year will potentially only apply until September 2018 and will not form the basis of the Local Plan after this date.
- 2.7 Officers have a number of concerns about how robust and realistic the Government's proposed formula is and propose to raise these concerns as part of the Council's response to the consultation document. However, it is

recommended that the growth options within the Issues and Options document are amended to ensure the highest level (Option 3) reflects the upper figure within the Government consultation document.

- 2.8 Whatever figure is finally agreed as being the best approximation of our local housing need, it will represent a substantial increase over the current housing target and historic rates of building in the area. The Government's final approach to assessing housing need is due to be set out in a revised version of the National Planning Policy Framework (NPPF), expected in Spring 2018. This timing means that there should be further clarity on the issue before Cabinet is asked to agree the next stage of the Local Plan (the Pre-Submission document).
- 2.9 Due to uncertainty caused by the Government consultation, the option previously referred to as the 'suggested growth option' has also been removed from the revised Issues and Options document now before Cabinet for consideration. This uncertainty means that Officers are unable to advise Members on what they consider to be the most appropriate growth option until there is further clarity from the Department for Communities and Local Government (DCLG). Cabinet will note that it is not mandatory to include a form of suggested option at this stage of the statutory plan-making process. The remainder of the Issues and Options document remains largely unchanged, apart from the addition of appropriate references to the Government consultation and other consequential amendments.
- 2.10 The deletion of the 'suggested growth option' from the Issues and Options document means that feedback is no longer being sought on the suggested Green Belt housing sites that could help us achieve this level of growth. Feedback is instead now being explicitly sought on all of the sites within the draft Schedule of Site Appraisals (Annex 2 of this report), to enable the public's views to be taken into account as part of the early site selection process. This Schedule of Site Appraisals provides an initial technical assessment of the larger housing sites that have been put forward to the Council for consideration that are currently in the Green Belt adjoining the Borough's towns and large villages.

### Context

- 2.11 Local Plans cannot be prepared in isolation. The Government requires them to be positively prepared, justified, effective and consistent with national planning policies and guidance. This is further demonstrated by the DCLG '*Planning for the right homes in the right places*' consultation, which contains proposals to further strengthen and formalise joint working arrangements between Councils through the preparation of Statements of Common Ground.
- 2.12 The National Planning Policy Framework (NPPF) provides the main context for local plans. A revised version of the NPPF is due to be issued in Spring 2018, to reflect changes suggested within the 2017 Housing White Paper ('Fixing our Broken Housing Market') and the recent DCLG consultation document. Further details regarding how the Government wishes Councils to address issues within their Local Plans is set out in Planning Practice Guidance (PPG), and additional topic-based guidance as appropriate.

- 2.13 There are also a wide range of documents prepared on a county or local level which need to be taken into account when preparing the Local Plan. These include:
- Perfectly Placed for Business (Hertfordshire Local Enterprise Partnership);
  - Local Transport Plan;
  - Waste and Minerals Plans
  - South West Hertfordshire Growth and Transport Plan (emerging);
  - Chilterns AONB Management Plan; and
  - Biodiversity Action Plan.
- 2.14 As well as working with partners and stakeholders, the Council has already started collecting and producing the evidence that will inform the content of the Local Plan. This includes studies on key topics such as the need for new homes, shops and jobs. It will be expanded as the new Local Plan progresses, but has helped identify key issues, challenges and options within the document. Details of the evidence that has influenced thinking on each section is signposted at the end of each relevant section. All documents prepared by the Borough Council are on our website via [www.dacorum.gov.uk/planningpolicy](http://www.dacorum.gov.uk/planningpolicy).

#### Sustainability Appraisal

- 2.15 The Issues and Options document is accompanied by a Sustainability Appraisal (SA), which Cabinet is also requested to agree for consultation (Annex 3). This has been undertaken by Consultants TRL on behalf of the Council and incorporates the requirements of the European Directive on Strategic Environmental Assessment (SEA) as well as considering the issues of equality and diversity (note that this remains a legal requirement).
- 2.16 The SA assesses the Issues and Options document against a range of social, environmental and economic indicators and helps to identify all the likely significant effects. It then advises on ways in which any adverse effects could be avoided, reduced or mitigated and how any positive effects could be maximised. This helps us to ensure that the emerging policies, plans and allocations in the new Local Plan will promote sustainable development.
- 2.17 A separate SA has also been carried out for all of the sites within the draft Schedule of Site Appraisals document that will be published alongside the main Issues and Options document (Annex 4).
- 2.18 As part of preparation of the new Local Plan there will also be the need to undertake a Habitat Regulations Assessment (HRA) screening, but this will be undertaken to inform the next stage (Pre-Submission), when precise development sites and planning policies are firmed up. The role of the HRA is to assess whether the new Local Plan could affect the Chilterns Beechwoods Special Area of Conservation (SAC) and if so, advise if this can be mitigated and if so, how.

#### Consultation arrangements

- 2.19 Arrangements for consulting on Local Plan documents are set out in the Council's adopted Statement of Community Involvement (SCI). In accordance with these requirements (which in turn reflect those set out within Government regulations), the consultation will run for 6 weeks and will be publicised through:
- A formal notice in the local newspaper(s);
  - Press release;
  - Information on the Council's website;
  - Direct notification by letter or email to everyone on the Council's Local Plan database; and
  - An article in the October edition of the Digital Digest email.
  - A series of staffed exhibitions open to the public in each of the Borough's main towns and villages
- 2.20 An article in the Autumn 2017 edition of the Dacorum Digest (distributed across the Borough from 14 August and covers the period to mid November) gives residents early notification of the consultation, and signpost them to the website for further information. A further short item will be contained in the Winter 2017 edition which is distributed to households from early November.
- 2.21 Consultation documents will be made available online and at the Council Offices and libraries. Officers will be available throughout the period to respond to questions arising. The planned exhibitions in each of the Borough's town and large villages will provide an opportunity for residents and other interested parties to discuss the Issues and Options document directly with Officers and Members. These exhibitions would logically be held mid-way through the consultation period, when attendees have had sufficient opportunity to consider the content of the Issues and Options document, whilst still have time left to respond before the deadline. The times and locations of the exhibitions will be advertised through an advert in the local paper(s), together with information on the website and posters at the venues.
- 2.22 Provisional dates for the consultation are 1<sup>st</sup> November to 13<sup>th</sup> December, with the exhibitions held during w/c 13<sup>th</sup> November, through to w/c 20<sup>th</sup> November (venue availability permitting). It is however recommended that detailed consultation arrangements are delegated to the Assistant Director for Planning and Development to finalise, in consultation with the Planning and Regeneration Portfolio Holder.

#### Duty to Co-operate

- 2.23 In advance of this formal Issues and Options consultation, Officers have also held a number of meetings, or had email correspondence, with specified Duty-to-Co-operate (DtC) bodies. These include Town and Parish Councils, infrastructure providers, adjoining local authorities and the County Council. The outcomes of this liaison have helped shape the content of the document now before Cabinet.
- 2.24 It is critical that these DtC discussions continue throughout the preparation of the new Local Plan. Due to the increasing emphasis placed on housing delivery by Government, discussions between ourselves and the other Councils within the South West Hertfordshire Housing Market Area (Watford,

Three Rivers, Hertsmere and St Albans) about how needs can be met, will be especially important.

### **3. NEXT STEPS**

- 3.1 The diagram below sets out the stages of plan-preparation that will follow the Issues and Options consultation. Before taking the plan forward to the next stage (Pre-Submission), the Council will need to take into account the findings of the Sustainability Appraisal and Habitats Regulations Assessment processes, alongside other considerations of national policy and guidance, the evidence base and formal consultation responses.
- 3.2 Pre-Submission (also known as 'Publication') stage is currently scheduled for Spring 2018 and involves a further 6 weeks of formal consultation. Pre-Submission is the stage at which the Council finalises the version of the Local Plan that it wishes to take forward, including detailed site requirements and policy wording. Government regulations now allow for changes to be made to the Pre-Submission plan before it is submitted for examination.
- 3.3 Cabinet will of course be informed of the key issues raised through the Issues and Options consultation (via a Consultation Report), and asked to agree a final growth option before progressing to Pre-Submission.

### **4. ANNEXES**

The following annexes form part of this report:

- Annex 1 - Issues and Options consultation document (October 2017)
- Annex 2 – Draft Schedule of Site Appraisals (October 2017)
- Annex 3 - Sustainability Appraisal Working Note – Issues and Options document (October 2017)
- Annex 4 - Sustainability Appraisal Working Note – Schedule of Site Appraisals (October 2017).

Local Plan Preparation Stages



