



Cabinet



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Report for:	Cabinet
Title of report:	New Dacorum Local Plan to 2041 – Publication under Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012
Date:	14 October 2024
Report on behalf of:	Councillor Adrian England, Leader of the Council
Part:	I
If Part II, reason:	N/A
Appendices:	Appendix A – Dacorum Local Plan to 2041 Appendix B – Local Development Scheme Appendix C – Summary of changes to recommended allocations Appendix D – Community Impact Assessment
Background papers:	The evidence base for the Local Plan is available to view on our website at www.dacorum.gov.uk/localplan
Glossary of acronyms and any other abbreviations used in this report:	CIA – Community Impact Assessment LDS – Local Development Scheme NPPF – National Planning Policy Framework

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Corporate Priorities	A clean, safe and enjoyable environment Building strong and vibrant communities Ensuring economic growth and prosperity
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	<p>Providing good quality affordable homes, in particular for those most in need</p> <p>Ensuring efficient, effective and modern service delivery</p> <p>Climate and ecological emergency</p>
Wards affected	ALL
Purpose of the report:	<ol style="list-style-type: none"> 1. To set out the content of the new Regulation 19 Local Plan for Dacorum and seek Cabinet's approval of it, alongside a revised timetable through the Local Development Scheme. 2. To confirm arrangements for public consultation and thereafter submission of the Plan to the Secretary of State for Housing, Communities and Local Government.
Recommendation (s) to the decision maker (s):	<p>Cabinet to Recommend to Council:</p> <ol style="list-style-type: none"> 1. that the new Dacorum Local Plan to 2041 Pre-Submission Version (Appendix 1), Proposed Submission Policies Map Publication Version (Appendix 2) and supporting documents be made available for a six-week publication period under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012; 2. following the six-week period as referred to in recommendation (1) above, to authorise the Strategic Director for Place, in consultation with the Leader of the Council, to submit the Dacorum Local Plan to 2041 Pre-Submission Version and all associated documents, together with a Statement including how the responses from previous consultations have been taken into account and a summary of the main issues raised in the publication stage responses, to the Secretary of State for independent examination under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012;

	<ol style="list-style-type: none"> 3. to authorise the Strategic Director for Place, in consultation with the Leader of the Council, to make non-material changes and corrections to the Dacorum Local Plan to 2041 and supporting documents, to address editorial, typographical and grammatical errors, up to the close of consultation period; 4. to authorise the Strategic Director for Place, in consultation with the Leader of the Council, to propose changes and corrections to the Dacorum Local Plan to 2041 and supporting documents, including policy updates, editorial, typographical and grammatical errors, during and following the publicity period, plan submission and during examination; 5. to authorise the Strategic Director for Place, once the Dacorum Local Plan to 2041 has been submitted for examination, to invite the examining Inspector(s) to recommend any modifications they consider to be necessary in accordance with section 20(7C) of the Planning and Compulsory Purchase Act 2004; and 6. to approve the new Local Development Scheme (October 2024), attached at Appendix 3.
<p>Period for post policy/project review:</p>	<p>The new Local Plan is recommended to be finalised and published in accordance with Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (amended)</p> <p>Following this, officers expect to submit the new Local Plan as soon as possible in early 2025 for examination where an independently appointed Planning Inspector will consider the contents of the plan against any representations made.</p> <p>If the final Local Plan is adopted following examination, a review will be undertaken at least every 5 years</p>

1 Introduction/Background:

- 1.1. Dacorum Borough Council is preparing a new Local Plan for the period up to 2041. Once adopted, it will replace the Site Allocations Development Plan Document (adopted July 2017), the Core Strategy Development Plan Document (adopted September 2013) and those “saved” parts of the Dacorum Borough Local Plan (adopted May 2004). The Local Plan is being prepared in accordance with the Council’s Local Development Scheme (LDS) (adopted October 2023).
- 1.2. The Dacorum Local Plan to 2041 sets out the Council’s final growth strategy for the Borough and includes proposals for new housing, employment and retail development across the Borough and the need for key infrastructure.
- 1.3. The document before Cabinet has been informed by three extensive public consultations held in 2017, 2020 and 2023 at the Regulation 18 stage and a comprehensive suite of new up to date evidence. Some evidence is in draft form and will be finalised in time for submission of the Local Plan in early 2025.
- 1.4. The publication of the new Local Plan under Regulation 19 is a final opportunity for the local community, other stakeholders and developers to provide their views on the policies and proposal in the document, as well as the supporting evidence. All representations made will be shared with the independent Inspector on submission of the Local Plan to the Secretary of State.
- 1.5. The Pre-Submission Version of the Dacorum Local Plan to 2041 is included at Appendix 1 to this report.

2. What has informed the preparation of the new Local Plan to 2041

- 2.1. In November 2017, the Council commenced its Issues and Options (Regulation 18) consultation seeking comments on the key issues facing the Borough. We received responses to this consultation from over 2,000 individuals and organisations. In September 2019 a consultation report of responses was published which presented the key points raised through that consultation.
- 2.2. These responses were considered by officers when in November 2020, the Council consulted on its “Emerging Strategy for Growth” (Regulation 18). This consisted of a full draft Local Plan, including site allocations, strategic policies and non-strategic policies to guide future developments. Despite much of the consultation taking part during a COVID lockdown, responses were received from over 3,400 individuals and organisations. A consultation report setting out the key issues raised was published alongside the responses received in June 2021.
- 2.3. More recently, the Council underwent a targeted consultation on a “Revised Strategy for Growth” (Regulation 18) in November 2023. This did not include consultation on any policies but on changes to the sites that were consulted on for the “Emerging Strategy for Growth” in 2020. This principally included a reduction in the number of sites recommended for allocation in the Green Belt. With this, over 1,300 individuals and organisations responded to the consultation and a consultation report was subsequently published in March 2024.
- 2.4. Since the first consultation in 2017, there have been a number of changes to the planning system. These include

- i. revised housing figures through the introduction of the Standard Method for Calculating Housing Need in 2019;
 - ii. multiple revisions to the National Planning Policy Framework (NPPF) in 2018, 2019, 2021 and 2023; and
 - iii. multiple updates to the supporting Planning Policy Guidance (PPG).
- 2.5. In response to these many and varied changes, officers have undertaken an extended period of plan development, including various updates to our evidence base to better understand the needs and constraints in the Borough. The member Task and Finish Group has met on numerous occasions this year. All of this work has informed the final version of the new Dacorum Local Plan to 2041.
- 2.6. Officers have also been through a process of generating and testing a range of options for development as well as seeking the input with statutory bodies, Hertfordshire County Council, adjoining authorities and developers across the Borough.
- 2.7. The Local Plan needs to be prepared in accordance with current Government guidance. To be found "sound" the Local Plan needs to comply with the NPPF, specifically paragraph 35, which requires Plans to be:
 - **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
- 2.8. Dacorum is a very constrained area with significant amounts of the Borough in the Green Belt and/or included as part of the Chilterns Area of Outstanding Natural Beauty (CAONB). Dacorum is also home to parts of the Chilterns Beechwood Special Area of Conservation (SAC), which has international protection. These are significant constraints which influence the locations for new development in the Borough.
- 2.9. The preparation of the Plan involved the reviewing and testing of a range of growth options and scenarios. Alternative options were developed and presented early in the preparation stage of the Plan and developed and refined over time as evidence.
- 2.10. Outside of formal public consultations, policies have been informed by various engagement methods including:
 - i. A series of Task and Finish meetings with members held in 2020 and again in 2024.
 - ii. A range of external stakeholder meetings, including meetings as part of the Duty to Cooperate to discuss strategic matters to be addressed in policy.
 - iii. Engagement with planning colleagues in Development Management and the Hemel Garden Communities programme to ensure emerging policies are effective.

3. Structure of the Local Plan document

3.1. The Local Plan also contains planning policies covering a range of subjects from affordable housing, design, climate change and the environment. The Plan presented to Cabinet is the plan which officers consider is capable of being found sound at examination and subsequently adopted. As such, the policies and all supporting text within the Plan are presented in a manner according to this.

3.2. The new Local Plan to 2041 is structured as follows:

- **Chapter 1. The Sustainable Development Strategy** – This sets out the vision, strategic objectives and spatial strategy for the Local Plan and what it means for each settlement and rural area in the Borough.
- **Chapter 2. Delivering Hemel Garden Communities** – This chapter recognises the key role that Hemel Hempstead plays delivering much of the planned growth (c.70% of all housing in the plan period) for the borough. It presents the vision for the longer-term delivery of Hemel Garden Communities and includes area-based policies for the major urban extension to the north east of the town; Hemel Hempstead town centre, the Two Waters area and Maylands Business Park.
- **Chapter 3. Housing** – This presents the overarching strategy for delivering housing across the borough and includes a mixture of strategic and non-strategic policies for matters such as affordable housing, housing mix, custom and self-build, gypsies and travellers and agriculture and forestry workers dwellings.
- **Chapter 4. Economy** – This presents the strategy for employment and retail provision, with a focus on protecting existing town centres and strategic employment sites. Additional policies cover matters such as tourism, social value and the loss of employment, retail and other main town centre uses.
- **Chapter 5. Climate Change** – Policies in this chapter include sustainable design and construction, renewable energy and carbon emissions reductions, carbon offsetting and protection from environmental pollution.
- **Chapter 6. Natural Environment** – A substantial chapter covering a diverse range of matters, including on landscape, the protection of habitats, watercourses, flood risk, tree protection and open land.
- **Chapter 7. Historic Environment** – This presents the Council's approach to protecting and enhancing heritage assets across the borough, including conservation areas.
- **Chapter 8. Design** – This presents the strategic policy for design, which aligns well with the adopted Strategic Design Guide Supplementary Planning Document, as well as additional considerations relating to density, the height of development and public art.
- **Chapter 9. Transport and Connectivity** – This chapter includes a suite of strategic and non-strategic policies to guide how people move more sustainably across the borough.
- **Chapter 10. Healthy Communities** – This chapter includes policies for the delivery of key community facilities such as schools, sports provision and open space for example. Other policies encourage the preparation of health impact assessments.
- **Chapter 11. Infrastructure Delivery and Monitoring** - This chapter presents the strategic policy for how infrastructure will be delivered effectively, how policies will be monitored and when a review will be triggered.
- **Chapter 12. Site Allocations** - This chapter contains site specific policies and red line boundaries for each of the allocations included in the Local Plan.
- **Appendices** – The appendices include a comprehensive glossary of terms, the monitoring framework and other information considered important to the soundness of the Local Plan.

4. The Main Provisions of the consultation document

- 4.1. The Council has set out to develop a strategy which accommodates its objectively assessed development needs. For housing, based on the most up to date information provided by Government, this constitutes 1,016 dwellings per annum, or 15,240 homes between 2026 (when the Local Plan is timetabled to be adopted) and 2041. The Council has made provision for 15,332 dwellings through a mixture of allocations, committed sites and a generous, but realistic, windfall allowance.
- 4.2. For employment, the strategy responds to recent development trends, including the impacts arising from the COVID pandemic. The strategy recognises the limited appetite for additional land to deliver office floorspace in the borough, and that land proposed in the St. Albans Local Plan, to the east of Hemel Hempstead, will deliver most of the Borough's future employment floorspace requirements. The strategy in the Local Plan recommends the protection of our established major employment sites, which are likely to be subject to regeneration over the plan period and deliver modern buildings fit to serve future economic needs for both Dacorum and the wider economic market area. The new Local Plan also recommends part of the allocation at Dunsley Farm in Tring to serve future employment needs in that area.
- 4.3. Our strategy for retail needs in the future is to protect existing retail stock for comparison shopping, mainly within town centres but also in a number of out of centre locations. There is demand for more convenience floorspace to be provided. Small scale local shops will be provided on a small number of site allocations where new community centres and hubs are proposed, with more substantive provision in Hemel Hempstead at Jarman Park and at North Hemel Hempstead to cater for future needs. Considering all of this, the focus will remain on maintaining vibrant centres at the heart of our three market towns.
- 4.4. The spatial strategy proposes growth in all of the major towns and large villages in the Borough. Hemel Hempstead continues to be the focus of the majority of this growth, with Berkhamsted and Tring supported by allocations. Growth at Bovingdon, Kings Langley and Markyate provide the majority of the remaining development with just under 400 dwellings predicted to come forward elsewhere in the Borough over the plan period up to 2041.
- 4.5. Given the scale of growth required, and the lack of realistic options, amongst other factors, the Council has concluded that exceptional circumstances exist to require the release of Green Belt land around settlements to meet future development needs.
- 4.6. Approximately 50% of total growth will be provided within the existing settlement boundaries (including on previously developed land) through a mixture of allocations, known commitments and a predicted windfall allowance. The remaining growth will be on land currently within the Green Belt on the edge of existing settlements.

Changes to the strategy and site allocations consulted on in 2023

- 4.7. The final strategy of sites has been informed by a range of factors which in turn have resulted in more Green Belt sites being proposed to be allocated. For clarity and to inform final decision making on the Local Plan, these are summarised below.
- 4.8. Between December 2022 and March 2023, the previous Government consulted on changes to the NPPF¹. It was supported by a number of ministerial statements (both formal and informal) in the lead up to and following publication of their draft NPPF for consultation. The **updated NPPF was published in December 2023**, after the Council commenced consultation on the Revised Strategy for Growth. Importantly the 2023 NPPF is the version

¹ <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

which the new Dacorum Local Plan to 2041 is being finalised against, not the draft NPPF recently consulted on by the new Government - see section 6 of this report which considers the impacts of the next NPPF.

4.9. Key differences between the consultation draft version of the NPPF, (which informed our recommendations on our strategy), and the final NPPF, (informing our current recommendations), are presented below:

- The previous draft NPPF proposed that authorities were not required to review and alter Green Belt boundaries if this would be the only way of meeting need in full. The final version omitted any reference to the later underlined text. As a result, the change is clear that the Green Belt should not in itself justify a lower housing requirement. This is a substantial reversion. The 2023 NPPF remains consistent that changes to the Green Belt should only be made where exceptional circumstances justify it.
- The 2023 NPPF has made clear that the standard method is an advisory starting point. Footnote 25 of the final 2023 NPPF notes that alternative approaches to the standard method could apply more to areas “*that are islands with no land bridge that have a significant proportion of elderly residents*”. Having regard to other material such as the Planning Practice Guidance on this matter², officers consider this does not represent any material change, only offering clarity in national policy that already exists in guidance.
- The draft NPPF suggested that, if needs resulted in development that would be significantly out of character with the existing area, this may be an adverse impact which could outweigh the benefits of meeting need in full. This suggestion was not fully carried forward, again removing any reference to such an example justifying a lower housing requirement.

4.10. On 15 March 2024, the (previous) **Secretary of State, having regard to the Planning Inspector’s conclusions and final recommendation, issued [their decision](#) on the ‘Marshcroft Lane’ appeal** for a significant urban extension to Tring. The decision had regard to the Council’s Local Plan consultation in 2023 which recommended to delete the site as an allocation, and also the 2023 NPPF (see above) which the new Local Plan is being finalised under. Although the Secretary of State’s recommendation was one of refusal, there are a number of elements that officers consider are important:

- The Planning Inspector recommended that the appeal should be allowed and permission granted. In paragraph 532, they “*find that the other considerations in this case clearly outweigh the harm [to the Green Belt] that I have identified. I am satisfied that this would still be the case, even if no weight were given to the additional benefits that would arise from measures that I consider to be necessary mitigation.*”
- The Secretary of State agreed with all the Inspector’s conclusions and recommendations with the only exception being the tilted balance of benefits outweighing the harm (paragraph 61). Notable elements that they both agree on include:
 - “*The Council’s repeated failure to progress an up-to-date development plan that would meet its future housing need and ensure the provision of sufficient sites is an important matter*” (paragraph 52)
 - On general landscape impacts “*..the overall harm to the character and appearance of the surrounding area should be given moderate weight*” (paragraph 29); and “*great weight should be given*” to the harm to the Chilterns National Landscape (paragraph 30)

² The [Planning Practice Guidance \(reference ID: 2a-003-20190220\)](#) remains clear that “there is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances”.

- On heritage assets “...the benefits of the appeal scheme are collectively sufficient to outbalance the identified ‘less than substantial’ harm to the significance of the heritage assets.” (paragraph 34)
 - On mitigation for the Chilterns Beechwoods Special Area of Conservation “...the proposed development would not adversely affect the integrity of the designated habitats sites” (paragraph 39)
 - Substantial weight is given to the benefits of providing market, affordable, self and custom build, extra care units and employment provision including the contribution of future residents to the local labour force and the local economy (paragraphs 40-44).
 - Moderate weight is given to the sustainable transport and ecological benefits also (paragraphs 48-49)
 - The “Very Special Circumstances” (VSC) test for planning applications is a more stringent test than the “exceptional circumstances” required to amend Green Belt boundaries through a Local Plan. The two tests should not be perceived as the same.
- 4.11. In May 2024 the **Council lost an appeal for [135 homes on Green Belt land at Rectory Farm, Kings Langley](#)**. This was also a draft allocation in 2020 that was subsequently recommended to be deleted by officers in 2023. In their report, the Inspector noted that “*there is a chronic under supply of housing and staggering levels of affordability*” (paragraph 96).
- 4.12. The Council has resolved to grant permission for a draft allocation on Green Belt land at Grange Farm, Bovingdon (186 homes, extra care accommodation, and other uses), however we continue to see a steady number of very special circumstances applications being submitted to the Council. Land West of Leighton Buzzard Road, Hemel Hempstead is [currently at appeal](#) (inquiry), and there is a further outline application at Schafford Knoll Farm, Nash Mills for 33 homes and a care home. The Council expects more VSC applications to be submitted to the Council by the end of the year.
- 4.13. It is clear through current national policy (the 2023 NPPF) and those recent Inspectors’ reports in Dacorum that green belt land is needed to address the housing shortfall. For Local Plans, recent letters from Inspectors into the examination of the Elmbridge Local Plan³ (no Green Belt allocations) and the Solihull Local Plan⁴ (the need to identify more Green Belt allocations to meet needs, including un-met needs) demonstrate the current expectations from the Planning Inspectorate to meet needs in full.
- 4.14. A final element to consider is the additional information and sites promoted through the 2023 consultation, which officers have given careful consideration to. Included as part of the consultation was a call for sites, including, in particular, a call for **additional Suitable Alternative Natural Greenspace** to offset pressures on the Chilterns Beechwoods Special Area of Conservation. Through new land promoted at the time, officers are more confident that further mitigation can be embedded through the Local Plan sufficient to satisfy this particular requirement of the Habitats Regulations Assessment.
- 4.15. The recommended strategy contained within the new Dacorum Local Plan to 2041 is informed by new evidence. One such study is the Strategic Flood Risk Assessment which includes more accurate considerations of the impacts of climate change on flooding across the borough. In addition to new evidence, a final check with site promoters on the availability of a small number of draft allocations in Hemel Hempstead has resulted in some

³ <https://www.elmbridge.gov.uk/sites/default/files/2024-09/ID-021%20Elmbridge%20%20Interim%20findings%20letter%20final%20sent%20to%20LPA.pdf>

⁴ <https://www.solihull.gov.uk/sites/default/files/2024-09/SMBC011.pdf>

of these no longer being sufficiently available to meet the tests expected of such allocations at examination in due course.

- 4.16. One such example is the Council's own Cupid Green Depot, which was previously allocated for close to 400 homes, but is now being reviewed for its potential to be maintained as a depot in the longer term. Such examples have resulted in officers no longer being able to recommend such sites and therefore further sites have been identified and recommended in the final strategy for the new Local Plan to 2041.
- 4.17. A summary of the change to the strategy and the recommended site allocations is presented in Appendix 3.

5. The Duty to Cooperate

- 5.1. The Council has worked constructively with nearby authorities and other organisations under the requirements of the Duty to Cooperate. These discussions focus on strategic matters that affect more than one authority. Such matters include housing, employment and infrastructure needs across the South West Herts Authorities. It also includes protecting our internationally important habitat sites such as the Chilterns Beechwoods Special Area of Conservation.
- 5.2. Substantial agreement has been reached with many of the Duty to Cooperate bodies and the outcomes are clearly reflected alongside relevant policies in the Local Plan. As a next step, the Council will start to prepare Statements of Common Ground with many of these organisations ahead of a future submission of the Local Plan to the Secretary of State of examination.

6. Options and alternatives considered

- 6.1. The Council has followed a comprehensive approach to plan preparation. The plan has been informed by technical evidence, formal consultation stages, informal stakeholder engagement, and Sustainability Appraisal. As such, alternative options for strategy, policy and site allocations have been considered to arrive at the final Regulation 19 Pre-Submission Version of the Joint Local Plan. The Pre-Submission Version therefore represents the best option to deliver against the council's strategic objectives.
- 6.2. From a wider context, there are some changes to the planning system and government planning policy on the horizon, including the recent consultation on a revised NPPF document, which closed on 24 September 2024. The proposed draft NPPF includes changes to existing planning policy, most notable of which are changes to:
 - housing supply and targets, including the proposal of a new method for calculating housing need and the introduction of mandatory housing provision targets. For Dacorum's Local Plan, this would result in an increase from our current 1,016 dwellings per annum (15,240 homes in the plan period) to 1,313 dwellings per annum (19,695 homes in the plan period). This is around 4,500 additional homes to identify land for;
 - the removal of the five-year land supply exemption in instances where adopted plans are less than five years old;
 - affordable housing requirements, including the requirement for policies to identify a minimum proportion of social rent homes and for tenure mix to be led by identified local needs;
 - climate change requirements, including support for proposals for all forms of renewable and low-carbon development, with weight given to proposals that contribute to a net zero future;
 - design methodology and the removal of references to authority-wide design codes;

- Green Belt review and definition, requiring all local planning authorities to review their Green Belt boundaries during local plan preparation in exceptional circumstances, such as meeting an identified need for housing or other development. The new NPPF also introduces a new definition of Grey Belt to guide where revisions to Green Belt boundaries should take place; development in Grey Belt should then be considered appropriate in certain instances; and
 - development management policies, particularly relating to the required provision of at least 50 per cent affordable housing on housing schemes (subject to viability).
- 6.3. The proposed draft NPPF includes provisions for transitional arrangements where plans are in the process of being prepared. These would come into effect within one month of the final publication of the NPPF (timescales currently unknown but expected before the end of 2024). These arrangements are applied differentially depending on the progress of an emerging plan, and the variation between the emerging annual housing requirement and the new Local Housing Need figure. For many plans at earlier stages or with a larger difference of more than 200 homes a year compared with the proposed new figures, plans will need to be revised to apply to the new NPPF and associated Local Housing Need figure and submitted for examination within 18 months. In accordance with these transition arrangements, plans can continue to examination under the current NPPF (2023 edition) if:
- a) There is a difference of less than 200 homes a year between the emerging plan at Regulation 19 stage and the proposed new Local Housing Need figure.
 - b) In instances where there is a difference of more than 200 homes between the two figures, plans can proceed to examination under the current NPPF (2023 edition) if they are submitted for examination within a month of the final new NPPF publication. Councils with plans examined and adopted under the current NPPF (2023 edition) are expected to commence plan making in the new plan making system at the earliest opportunity.
- 6.4. The Dacorum Local Plan would qualify under transitional arrangement (b), if submitted to the Secretary of State for examination within one month of the new NPPF being published.
- 6.5. The Council could choose to delay progressing the Dacorum Local Plan to 2041 until a later date once the new NPPF is published. However, this would require largely restarting the whole local plan process with a current expectation to identify land in addition to officers' current recommendations for a further 4,500 homes. Such a decision would have the following important implications:
- i. A further delay to the adoption of the Local Plan by at least two years to allow for additional sites to be identified, consulted on and tested to determine the appropriate levels of infrastructure;
 - ii. Delays to the delivery of the Hemel Garden Communities programme and associated risks that development proposals in the short term will not be expected to contribute wider transformational change for the town;
 - iii. A worsening of the Council's very low supply of land for new housing coupled with a predicted increase in predatory applications and a loss of control over site allocations included the new Local Plan; and
 - iv. Significant additional costs associated with each of these.
- 6.6. A delay of this nature would extend the timescale for adoption of the new Local Plan, which could have wider implications for planning and development management in the Borough. By completing the Dacorum Local Plan, the Council will be able to progress to the next plan whilst having an adopted plan that is less than five years old and being monitored against the housing requirement figure set in the Local Plan, which will help maintain the council's five-year housing land supply.

- 6.7. The Council recognises that, upon adoption of the Dacorum Local Plan to 2041 examined under the current NPPF (2023 edition), the government has indicated that it will expect councils to commence work on a new local plan under the new plan making system, which is likely to be in place by then, to reflect the new NPPF and national policy directions, such as the proposed future housing numbers, which are likely to be significantly higher. Commencing such a review early in the life of an adopted local plan is the Council's normal approach to plan making and will enable the Council to take account of any new strategic planning arrangements that may be forthcoming from national government.
- 6.8. Progressing with the new Local Plan now provides an opportunity to put a set of up-to-date policies in place for Dacorum, which will apply to developments coming forward in the interim, including on the proposed large site allocations. The new Dacorum Local Plan to 2041 needs to be put in place to deliver for local communities. It is supported by a significant infrastructure package to support new and existing site allocations, as well as other major developments likely to come forward on a speculative basis within our main settlements.
- 6.9. Delaying and potentially restarting the Local Plan at this stage would likely result in development coming forward which does not align with the Council's strategic objectives, and which meets policy requirements of the dated Core Strategy (2013).
- 6.10. Proceeding to submission under the transition arrangements is recommended to avoid these implications, although it should be noted that there are risks in doing so.
- 6.11. In moving the Local Plan forward as proposed, it is necessary to adjust the publish timescale for its progression through the Council's adopted Local Development Scheme. Revisions to this document are appended to this report and Cabinet is asked through the recommendations of the report to approve it.

7. The Pre-Submission Publicity Period / Consultation

- 7.1. The preparation of the new Dacorum Local Plan to 2041 involved close collaboration across Council service teams. A comprehensive approach has been taken to communications and community engagement also, reflected through the many consultation events undertaken since work commenced in 2017.
- 7.2. The Regulation 19 publicity period will be undertaken in accordance with the relevant regulatory requirements alongside the council's adopted Statement of Community Involvement, which includes the distribution of paper copies of the plan and key evidence documents at locations across the Borough and accessible versions available upon request.
- 7.3. Publication of the Regulation 19 plan will follow the necessary process outlined in the Town and Country Planning (Local Planning) (England) Regulations 2012, which will include publication of the relevant documents online and available for inspection at locations across the Borough. The Council will seek representations on the legal compliance and soundness of the plan and whether it has complied with the Duty to Cooperate. Representations can be made either electronically or in writing over a six-week period. Following the end of the publicity period, the responses will be submitted to the Secretary of State for inspection and consideration as part of the independent examination of the Local Plan together with a statement reporting on the number of representations made and a summary of the main issues raised. The representations will also be published on the Council's website.

8. Financial and value for money implications:

- 8.1. Since work commenced on the Local Plan back in 2017, it is estimated that the total cost of preparing the new Local Plan, including the cost of officer time, evidence production, public consultation and summarising responses received is now in excess of £3,000,000.
- 8.2. The next stage of the Local Plan process, including the costs associated with Regulation 19 publication and the Examination, can be funded from within existing budgets.
- 8.3. Any delay to finalising the Local Plan to allow for additional evidence to be produced, or an alternative strategy to be prepared, will require additional finances not currently budgeted for.
- 8.4. In respect to the emerging NPPF presented in Section 6 of this report, Government has indicated that, where Local Plans are at an advanced stage (Regulation 19), and require further work to be brought in line with the new NPPF, authorities will be financially supported for this additional work. Where a Local Plan is not at the Regulation 19 stage and does not meet the transitional arrangements (i.e. at Regulation 19 within one month of publication of the new NPPF), then no such financial support would exist.
- 8.5. An Infrastructure Delivery Plan (IDP) has been prepared as part of the evidence for the Dacorum Local Plan. It sets out the updated infrastructure requirements associated with the sites recommended for allocation in the plan, including the forecasted financial contributions associated with, and who is responsible for, delivering the IDP requirements.
- 8.6. This information has been used to support the viability assessment of the plan, to ensure the proposals included are deliverable in accordance with the tests of soundness outlined above.

9. Legal Implications

- 9.1. It is a legal requirement for local planning authorities to produce a local plan and keep it up to date. Once adopted, it will replace the Site Allocations Development Plan Document (adopted July 2017), the Core Strategy Development Plan Document (adopted September 2013) and those “saved” parts of the Dacorum Borough Local Plan (adopted May 2004).
- 9.2. All aspects of the preparation of the Local Plan have been undertaken in accordance with the relevant planning legislation and regulations.
- 9.3. The Council may not submit the Dacorum Local Plan to 2041 for examination unless it has complied with all applicable regulatory requirements, and it considers it is ready for independent examination. This means the Council considers it is capable of being found sound and is legally compliant.

10. Risk implications:

- 10.1. The Local Plan has its own detailed risk assessment and this is contained in the adopted Local Development Scheme (2023). This is regularly monitored in accordance with the Council’s programme management procedures.
- 10.2. If the Council does not proceed with commencing Regulation 19 on the new Local Plan in accordance with the timescales set out in the Local Development Scheme, it will not be able to meet the plan preparation timetable required to enable progress under the current NPPF (2023 edition).
- 10.3. The plan would then be caught under the new NPPF requirements which would significantly delay preparation of the plan by between two and three years. The reason for this is that

the next NPPF will likely be supported by a confirmed revised Standard Methodology for calculating Housing Needs.

- 10.4. The draft revised Standard Methodology currently proposes for Dacorum a need to identify land to deliver approximately 4,500 homes more than what is included in the Pre-Submission Dacorum Local Plan to 2041 appended to this report. In practical terms, that scale of additional need is broadly comparable to one North Hemel (Reference Hm01) allocation, three Land East of Tring (Tr03) allocations, or six South of Berkhamsted (Bk01) allocations.
- 10.5. The risk of not proceeding with the planned timetable is significant and it is therefore not recommended.
- 10.6. Nonetheless, there remains risk associated with progressing as planned when the publication timescales for the new NPPF are unknown. This will be monitored throughout the next stages of the plan.
- 10.7. Once the Dacorum Local Plan to 2041 is submitted to the Secretary of State, the examination timetable is in the hands of the Planning Inspectorate.

11. Equalities, Community Impact and Human Rights:

- 11.1. A Community Impact Assessment (CIA) was prepared to support the preparation and consultation of the Emerging Strategy for Growth, and was entered into the CIA database prior to the Cabinet meeting on the 20th October 2020. This document was reviewed prior to undertaking the consultation on the Revised Strategy for Growth in 2023, and it was deemed that no major changes were required.
- 11.2. The CIA has again been reviewed again in advance of the Local Plan being made available for this committee. Officers agree that its contents and conclusions remain up-to-date and relevant, and no further amendments are required. The CIA is appended to this report (Appendix D).
- 11.3. There are no Human Rights Implications arising from this report.

12. Sustainability implications (including climate change, health and wellbeing, community safety)

The Local Plan includes a range of objectives, allocations and policies with the overarching aim of achieving sustainable development, as presented in Chapter 2 of the National Planning Policy Framework.

13. Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

There are no implications to Council infrastructure arising from this report.

14. Statutory Comments

Monitoring Officer:

The statutory procedures to be followed for the Local Plan are set out in the statute and regulations as noted in the report. The report confirms that the required legislative requirements have been followed and therefore the report can proceed to the Regulation 19 stage subject to full Council approval.

S151:

There is funding set aside as part of the Council's medium term financial planning to finance the proposed timetable and project plan set out to conclude the creation of the Local Plan to 2041.

Delays or changes in the delivery of the revised local plan would likely have both direct and indirect financial costs to the Council. The potential for the Council to incur indirect costs by delays to this process are wide ranging and could include costs related to developer planning requests rejections and legal challenges to the Council because of not having a current approved Local Plan.

15. Conclusions:

- 15.1. Cabinet is requested to recommend to full Council that the Pre-Submission Version of the New Dacorum Local Plan to 2041, together with supporting technical evidence and papers, be published for a period of eight weeks under Regulations 19 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and thereafter submitted to the Secretary of State for examination.
- 15.2. Any necessary or proposed amends or corrections to the new Dacorum Local Plan to 2041 and supporting documents that are required prior to publication and/or submission or during the examination will be agreed by the Strategic Director for Place in consultation with the Leader of the Council. The examining Inspector(s) will also be invited to recommend any modifications to the Dacorum Local Plan to 2041 that they may consider are required.
- 15.3. Approval is also sought on the updated Local Development Scheme (October 2024) as referred to in this report.
- 15.4. Formal recommendations are set out at the beginning of this report.