

EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 21 FEBRUARY 2013
EXECUTIVE – 5 MARCH 2013

REPORT BY EXECUTIVE MEMBER FOR
STRATEGIC PLANNING AND TRANSPORT

DISTRICT PLAN PART 1 - UPDATE REPORT

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- This report explains that the East of England Plan was revoked on 3rd January 2013;
- However, recent interpretation of objectively assessed need by the Planning Inspectorate suggests that East Herts Council may need to plan for the upper end of the previously agreed range of 10,000 to 17,000 dwellings;
- Because of continued uncertainty in relation to transport and schools planning, combined with the requirement for the plan to be effective throughout its period, the consultation draft District Plan is of necessity subject to further delay.

RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE PANEL AND EXECUTIVE: That:

(A)	recent interpretation of ‘objectively assessed housing need’ by the Planning Inspectorate be noted, which suggests that East Herts Council may need to plan for the upper end of the range 10,000-17,000 dwellings over 20 years; and

(B)	a further delay to the finalisation of the District Plan Part 1: Strategy be supported, until such time as a resolution to the outstanding strategic issues can be found.

RECOMMENDATIONS FOR COUNCIL: That:

(A)	recent interpretation of ‘objectively assessed housing need’ by the Planning Inspectorate be noted, which suggests that East Herts Council may need to plan for the upper end of the range 10,000-17,000 dwellings over 20 years; and

(B)	a further delay to the finalisation of the District Plan Part 1: Strategy be agreed, until such time as a resolution to the outstanding strategic issues can be found.
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1.0 Background

1.1 A Report to Members on 28th November 2012 (see Background Papers) explained that there were four reasons for delay in presentation of the Draft District Plan Part 1: Strategy. These were as follows:

- Schools Planning
- Highways Assessment
- Viability Assessment
- Delayed abolition of the East of England Plan

1.2 Since that time, the Viability Assessment (Stage 1) has been completed (see Agenda Item 9: Financial Viability Update and Stage 1 Results) and this work stream is no longer considered an obstacle to presentation of a consultation draft plan.

1.3 An order for the revocation of the East of England Plan was laid before Parliament on 3rd January 2013, following completion of the work on Strategic Environmental Assessment needed to comply with legal requirements. This is therefore no longer considered an obstacle to presentation of a consultation draft plan.

1.4 The report at Agenda Item 8: Transport Modelling Update and DIAMOND Results explains the continued issues with transport modelling, in particular the Harlow-Stansted-Gateway Model (HSGTM).

1.5 A Report to Members on 29th March 2012 set out the need to test development in the range of 10,000 to 17,000 dwellings (see Background Papers). Since that time, interpretation of National Planning Policy Framework (NPPF) by the Planning Inspectorate has become available. This is likely to have significant implications for the development strategy for East Herts.

2.0 Report

- 2.1 It is clear from recent decisions by the Planning Inspectorate that Local Planning Authorities are expected to take a positive approach in preparation of their plans, to meet objectively assessed housing needs. The recent article from Planning Magazine at **Essential Reference Paper 'B'** illustrates how a number of authorities have been forced to review their plans, even where this requires release of Green Belt land. In East Herts, the alternative of locating all development outside the Green Belt would not comply with NPPF requirements to deliver sustainable patterns of development. It would therefore be highly unlikely that Green Belt could be successfully advanced at examination as a reason not to accommodate some development around those settlements located within the Green Belt.
- 2.2 The article also confirms that Office for National Statistics (ONS) projections should form the basis for assessment of housing need. The NPPF requires that Local Planning Authorities should “meet household and population projections, taking account of migration and demographic change” (Paragraph 159). For East Herts, this implies a figure towards the upper end of the range 10,000 -17,000 dwellings previously agreed for testing.
- 2.3 One major area of work that still needs to be finalised relates to transport infrastructure. Transport work to date is not able to demonstrate the severity of the impacts once mitigation measures such as new roads, bus routes etc have been taken into account. It is not possible to reject development options on transport grounds where significant unresolved transport issues remain. Therefore it is not currently possible to finalise a development strategy.
- 2.4 The NPPF requires Local Planning Authorities to prepare a long-term plan, preferably for 15 years from adoption. Up to 2021, the District Plan can be delivered at relatively small-scale urban extensions and at sites within the built-up areas of the towns and villages, and involve relatively straightforward infrastructure provision for which there are few apparent difficulties.
- 2.5 However, the period between 2021 and 2031 will require one or more large urban extensions to come forward. A shortlist of options for potential urban extensions has already been agreed by the Council (see Background Papers). However, this scale of

development will require significant transport and highways infrastructure. At this stage the possible funding and delivery arrangements remain unclear.

- 2.6 In addition, the secondary schools issue in Bishop's Stortford remains to be resolved. Whilst various options are under consideration by the schools and the County Council, at present it is unclear whether these options are feasible or could provide sufficient long-term schools capacity in the town to provide for future development needs.
- 2.7 Schools planning in other settlements also remains to be resolved. This issue is complicated by recent government reforms, in particular the establishment of Academies and Free Schools programmes, which places many current and future schools outside Local Authority control.
- 2.8 The NPPF transitional period ends on 27 March 2013, and the implications of this are explained in Agenda Item 12: East Herts Local Plan (April 2007) – National Planning Policy Framework (NPPF) Compatibility Self Assessment Checklist.
- 2.9 In order to provide a clear long-term basis for the development strategy, it is considered necessary to delay publication of the District Plan until either sufficient evidence is available to produce a robust plan, or an alternative way forward can be found.
- 2.10 Officers are strenuously exploring ways of progressing the District Plan and re-assessing a realistic timetable for consultation. This will involve working closely with infrastructure and service providers on a way forward, taking account of the Duty to Co-Operate, and clarification will also be sought from the Planning Inspectorate in relation to interpretation of key NPPF requirements as they are likely to impact the East Herts District Plan.
- 2.11 A progress update will be presented to Members in late spring, by which time it is anticipated that the discussions and work outlined above will have provided clarification of the way forward. This will enable an informed decision to be made in respect of the level of evidence and types of policy mechanism required to enable finalisation of the draft plan for consultation later this year.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Population and Household Forecasts and the East Herts Housing Requirement (Agenda Item 7, LDF Executive Panel, 29th March 2012)

District Plan Part 1 – Strategy – Strategy Supporting Document – Chapter 4: Places and Next Steps (Agenda item 10, District Planning Executive Panel 26th July 2012)

District Plan Part 1 – Strategy Supporting Document: Update Report (Agenda Item 11, District Planning Executive Panel, 28th November 2012)

These reports may be viewed on the Council's website at:

<http://online.eastherts.gov.uk/moderngov/ieListMeetings.aspx?CommitteeId=151>

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