

EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 22 OCTOBER 2014

EXECUTIVE – 4 NOVEMBER 2014

REPORT BY EXECUTIVE MEMBER FOR STRATEGIC PLANNING
AND TRANSPORT

DELIVERY STUDY UPDATE REPORT

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- This report provides an update on progress with the Delivery Study, a critical piece of the evidence base for the emerging District Plan.

**RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE
PANEL: That:**

(A)	The District Plan Delivery Study Briefing Note from Peter Brett Associates including the implications for the District Plan timeline, and the updated ATLAS Deliverability Advice Note, contained at Essential Reference Papers B and C, be noted.
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RECOMMENDATIONS FOR COUNCIL: That:

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1.0 Background

1.1 The background to the Delivery Study was set out in the Deliverability Advice Note from ATLAS previously presented to the Panel (see Background Papers).

- 1.2 The District Plan Delivery Study is critical to determining whether or not the development strategy set out in the Preferred Options District Plan can be delivered. The study could result in material changes to the Draft Plan, and important decisions may be needed in terms of the scale of developer contributions to meet wider policy objectives (such as affordable housing) and support the infrastructure needed to deliver the growth. The study Specification has been published (see Background Papers, 17 July 2014).
- 1.3 Paragraph 56 of the Specification states: *“The Council wishes to proceed swiftly with the District Plan, and ideally would like to make a decision to consult on an amended plan at Full Council on 1st October in order to enable a full consultation by the end of the year. In order to achieve this timeline, the Council will need to present an amended Plan to the District Planning Executive Panel on 25th September, the deadline for which is Wednesday 10th September.”*
- 1.4 Paragraph 57 continues: *“The Council recognises that this is a tight timeframe for this challenging commission. Therefore consultants are requested to pay careful attention to the timetabling and prioritisation of the tasks, in order to provide an honest assessment of the feasibility of the proposed timeline.”*
- 1.5 The same Report explained that timely progress with the study will be dependent in large part on prompt receipt of inputs from the appointed consultants, as well as from site promoters and infrastructure providers. As with any work dependent on external parties there are scheduling risks and these will need to be carefully managed.
- 1.6 Peter Brett Associates (PBA) has been appointed to undertake the Delivery Study and an inception meeting took place on 20th August. Since then, PBA has undertaken significant work to review the evidence and identify gaps which will need to be filled before the District Plan can move forwards to an amendments consultation.
- 1.7 In March 2014, the Department for Communities and Local Government published the National Planning Practice Guidance (NPPG), which sits alongside the National Planning Policy Framework (NPPF). The NPPG contains additional guidance in relation to deliverability and the assessment of housing needs as well as other areas of plan making. In preparation of the Delivery

Study, PBA's advice reflects the NPPG as well as the NPPF, and the interpretation of both documents by the Planning Inspectorate. PBA also reflects the Planning Advisory Service guidance on Objectively Assessed Needs (see Background Studies).

2.0 Report

2.1 To date, PBA has undertaken the following activities in preparation for writing up the Delivery Study report:

- Telephone interviews with Thames Water, NHS England, the Clinical Commissioning Group, and Hertfordshire County Council (schools);
- Whole plan viability matrix to assess impact of policies on viability;
- Review of Site Specific Masterplans for the three most complex sites;
- High-level review of transport evidence and telephone interviews with various stakeholders;
- Transport workshop (with adjoining Local Planning Authorities, the Highways Agency, and the Highways Authorities for Hertfordshire and Essex);
- Transport meeting to consider impact on M11 and input into the scope of VISUM modelling to ensure planned growth in E Herts is included.
- Site Promoter Viability Forum (smaller/less complex sites);
- Site Specific Viability Surgeries (large/ complex sites);
- Desk based research to inform viability assumptions;
- Review and guidance on areas of possible risk relating to parallel work on Objectively Assessed Need (OAN) being developed by various others;
- Detailed inception workshop to engage and outline the inter-dependencies of the various study tasks and identify possible study risks; and
- Site visit to better understand the proposed growth areas, the spatial geography, and impact on viability and delivery.

2.2 PBA has prepared a Delivery Study Update attached at **Essential Reference Paper 'B'** which provides a number of headlines from the work carried out so far. The Update contains some challenging advice for the Council around the expectations of the Planning Inspectorate in relation to the calculation of the housing requirement in the first five years of the plan, the duty to co-operate, and the economic development strategy.

- 2.3 The initial view from PBA is that the Planning Inspectorate is unlikely to be convinced that congestion stemming from growth can be used as a reason for inhibiting growth proposed within the draft District Plan. However, managing congestion is one of the factors likely to be of local importance and PBA has identified gaps in the approach to transport planning. These will need to be addressed by the Council, working in partnership with other stakeholders including the Transport and Highways Authority, as part of an ongoing process of transport planning.
- 2.4 Going forward to adoption of the plan and beyond, including future plan-making stages, and taking account of the evidence from the transport modelling, it will be for the Council in partnership with the Transport and Highways Authority to develop measures to manage and mitigate congestion arising from the cumulative impacts of growth. However, even with such measures in place it may not be possible to fully mitigate increased congestion.
- 2.5 The role of transport modelling should therefore be understood in terms of focusing attention on the main congestion hotspots arising from growth, and enabling targeting of appropriate mitigation measures.
- 2.6 Physical mitigation measures involving highways engineering may form part of the approach. However, PBA has advised that in many cases, particularly in town centres and locations where the options for such schemes are limited, 'softer' measures to reduce reliance on the car may need to be the main focus of attention.
- 2.7 The advice from PBA is consistent with the advice from ATLAS in the Deliverability Advice Note. ATLAS has updated this note (**Essential Reference Paper 'C'**) to include a recent example from the Rotherham Local Plan examination.

Timeline

- 2.8 Responding to the requirements of Paragraph 57 of the Specification, PBA has advised that East Herts Council should take account of the evidence from a number of modelling studies which have significant cross-boundary impacts and are due to report this autumn, most significantly the VISUM model, which covers Bishop's Stortford, Sawbridgeworth and the Gilston Area.
- 2.9 PBA has also advised that East Herts Council should take account of the evidence arising from the new joint Strategic Housing Market Assessment (SHMA), which is also due this

autumn. As noted in the section on 'Critical Dependencies', "*the ongoing work on the OAN (Objectively Assessed Needs) could amend or change the scale of growth required during the plan period*". As part of the Delivery Study, PBA will engage with the emerging SHMA and advise the Council on the implications for the District Plan housing requirement.

2.10 PBA considers the outputs from this new evidence to be critical to the robustness of the Delivery Study. Therefore it has not been possible to achieve the timeline set out in the Specification, as repeated in Paragraph 1.2 above. This has implications for the District Plan Work Programme.

2.11 The Council continues to make strenuous efforts to progress the District Plan as swiftly as reasonably possible, and consistent with the objective of achieving a sound plan.

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

The following reports were presented to the District Planning Executive Panel:

- Delivery Study Update Report, 17 July 2014
- Infrastructure Topic Paper, 16 January 2014, see also www.eastherts.gov.uk/infrastructure
- District Plan Update Report, 3 October 2013
- ATLAS Strategic Sites Deliverability Advice Note, District Plan Update Report, Essential Reference Paper 'E', 3 October 2013
- Objectively Assessed Need and Housing Targets – Planning Advisory Service Technical Advice Note (June 2014)

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