

EAST HERTS COUNCIL

LOCAL DEVELOPMENT FRAMEWORK EXECUTIVE PANEL – 7 JULY 2011

REPORT BY EXECUTIVE MEMBER FOR PLANNING POLICY AND ECONOMIC DEVELOPMENT

LOCAL DEVELOPMENT FRAMEWORK: STRATEGIC LAND AVAILABILITY ASSESSMENT (SLAA) PROJECT PLAN AND ESTABLISHMENT OF SLAA PARTNERSHIP

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- The Strategic Land Availability Assessment (SLAA) is ongoing technical work that will inform the East Herts Local Development Framework (LDF). This report seeks endorsement of the SLAA Project Plan and establishment of a formal SLAA Partnership to provide technical advice and guidance to East Herts Council, in respect of land availability and the deliverability of sites.

RECOMMENDATION TO EXECUTIVE: to commend to Council that:

(A)	the East Herts Strategic Land Availability Assessment Project Plan (July 2011), contained at Essential Reference Paper 'B' to this report , be agreed; and
(B)	a formal SLAA Partnership be established, in order to allow work to commence as soon as possible to inform the next stage of the Core Strategy.

1.0 Background

1.1 As part of the preparation of the East Herts Local Development Framework (LDF), Members will recall that East Herts Council is undertaking ongoing technical work in respect of land supply, called a Strategic Land Availability Assessment (SLAA). It is part of the proactive plan-making process that will shape the future of East Herts to 2031, by considering the future needs of the District in terms of the availability of land.

Purpose of the SLAA

- 1.2 Broadly speaking, the SLAA is a survey and assessment of potential sites for development. It provides information from which decisions can be made on how much development to put where and helps reveal the extent to which greenfield and Green Belt land may be needed to meet the district's housing requirement.
- 1.3 The SLAA identifies potential sites for development in the District and gives a technical assessment as to whether they are developable and when they could be developed. The SLAA does not make any decisions as to whether a site should be developed: that is the role of the planning system itself. The main output will be a list or database of sites that could be developed in East Herts from which the Council can select the most sustainable and appropriate sites to be developed through the LDF and planning process.
- 1.4 As such, the SLAA does not automatically rule out sites currently designated as Green Belt. Such sites may however, be ruled out on these grounds during the LDF process.
- 1.5 It should be noted that there is no requirement for East Herts Council to produce a SLAA. There is only a requirement to ensure a continuous supply of housing land by preparing a Strategic Housing Land Availability Assessment or SHLAA. However, acknowledging the wider spatial objectives of the planning system, East Herts Council has opted to prepare a SLAA to look at land supply for all development including employment, retail, leisure and community uses, rather than just prepare a SHLAA in respect of housing.

East Herts Housing Requirement

- 1.6 Members will be aware that on 6 July 2010, the Government revoked regional strategies: the intention being that decisions about planning and housing numbers will rest with local planning authorities.
- 1.7 It should also be noted that this revocation was the subject of a successful High Court challenge by a house builder in November 2010. The Government has, however, signalled its intention to continue the process of abolishing Regional Spatial Strategies (RSS) through the Localism Bill in due course but until this becomes law, the East of England Plan remains part of the statutory Development Plan for the District. Notwithstanding this, it

is for local planning authorities to decide whether the Government's intention to abolish regional strategies forms a material consideration. The Localism Bill will also set out the Governments' changes to the planning system.

- 1.8 Indeed, the Government has indicated that local authorities should continue to demonstrate a continuous five year supply of housing through their SHLAAs. The Government has stated that "local planning authorities will be responsible for establishing the right level of local housing provision in their area, and identifying a long term supply of housing land without the burden of regional housing targets."¹
- 1.9 To date, East Herts Council has not taken a decision as to the appropriate level of housing for the District. The Council consulted on its Core Strategy Issues and Options document between 2 September and 25 November 2010. This document is based on the District wide housing figures set out in the East of England Plan 2008. It should be noted however, that the Review of the East of England Plan, published March 2010, set a lower District-wide housing figure for East Herts.
- 1.10 Thus, irrespective of whatever figure is adopted as the housing target, a SLAA still needs to be undertaken in order to inform both the long-term supply of housing and the wider LDF process.

Relationship to LDF

- 1.11 The SLAA will inform two key Development Plan Documents (DPD) or policy documents in the East Herts LDF: the Core Strategy and Site Allocations. As the overarching strategic policy document which will shape the future of the district to 2031, the Core Strategy is being prepared first. Importantly however, the Core Strategy will not deal with specific sites: it will simply identify broad locations that are suitable for development. The SLAA is crucial, therefore, in demonstrating that there is sufficient capacity within each broad location to deliver the objectives and development requirements in the Core Strategy.
- 1.12 Following preparation of the Core Strategy, the SLAA will then be used to identify which sites should actually be allocated for development in the Site Allocations DPD. Allocating sites for development is an intrinsic part of the plan-making process and enables to Council to effectively manage development and pro-

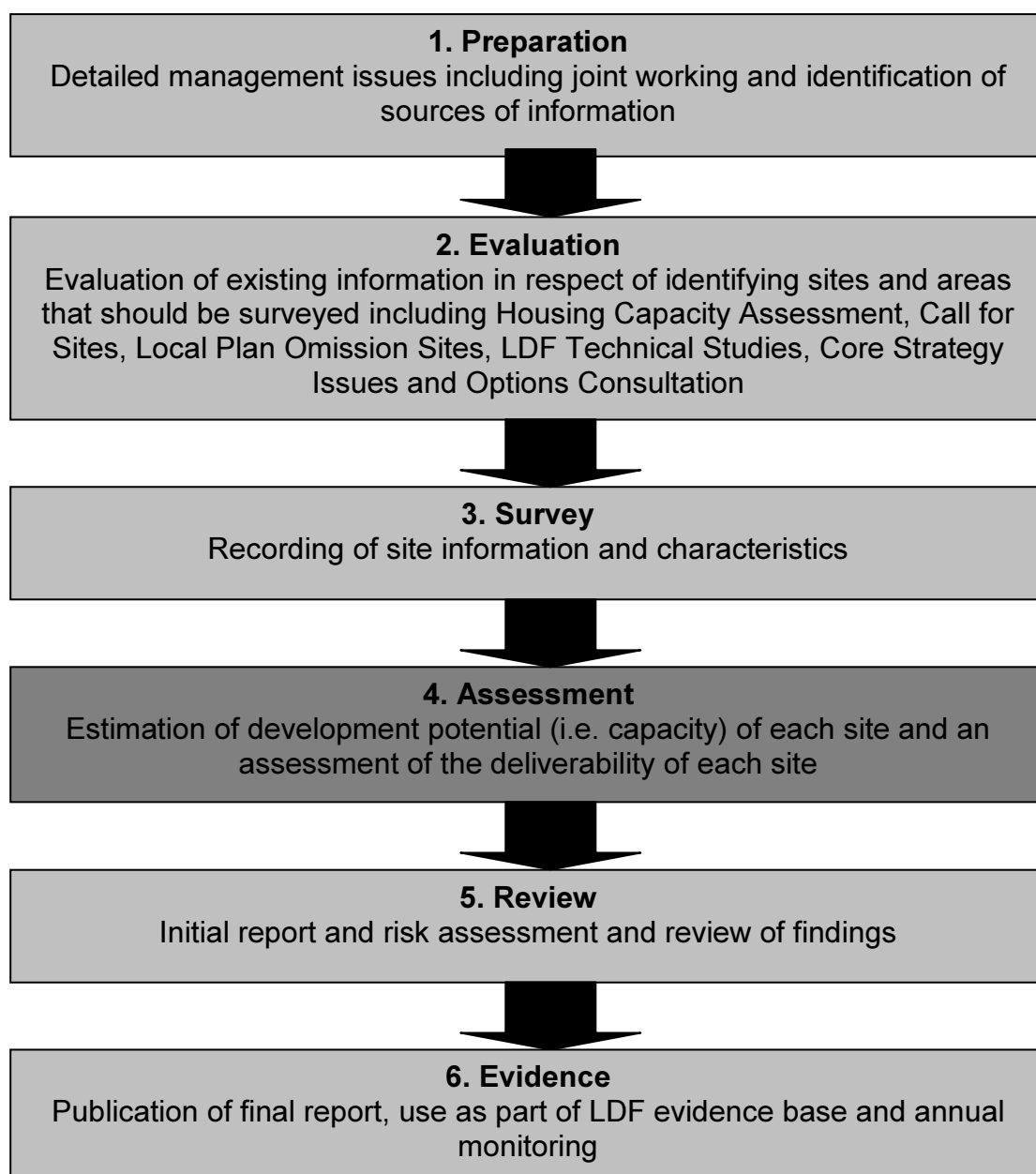
¹ Letter to Chief Planning Officers and Accompanying Frequently Asked Questions (CLG, 6th July 2010)

actively shape how the District will change over the plan period. It gives certainty to both developers and communities in knowing which sites will be developed. It is important to understand however, that there will be a time-lag between the adoption of the Core Strategy and the adoption of the Site Allocations document, during which time the SLAA will be used to provide planning application advice in respect of land availability.

SLAA Methodology

- 1.13 The preparation of the SLAA involves a number of phases reflecting the various stages involved. A SLAA Project Plan has been prepared that sets out the methodology for undertaking the SLAA including a six phase approach as shown in Figure 1. For reference, the SLAA Project Plan is attached as **Essential Reference Paper B**.

Figure 1: The SLAA Phases



- 1.14 This SLAA has been ongoing for a number of years and much of the work has already been completed, following endorsement of the SLAA through previous LDF Panels, including the Housing Capacity Assessment and Call for Sites. As such, Phase 3 is currently being finalised with preparatory work on Phase 4 beginning.
- 1.15 A key element of Phase 4 is the establishment of a formal SLAA Partnership to assist with the assessment of sites. This report seeks endorsement from Members to establish a formal SLAA Partnership.

2.0 Report

- 2.1 The purpose of the SLAA Partnership is to assist in the preparation of the SLAA technical study by acting as an independent body appointed by East Herts Council to provide advice and opinions on the deliverability and developability of identified sites in an efficient and timely manner, and to add value to the SLAA process through the skills, expertise and knowledge of each of the Partnership's members.
- 2.2 The use of a Partnership is recommended in Government guidance. Failure to engage appropriately with stakeholders could undermine the robustness of the SLAA as a technical study and key piece of the LDF evidence base and subsequently undermine the soundness at examination of the Core Strategy itself.
- 2.3 The Partnership should consist of key stakeholders such as house builders, social landlords, local property agents, local communities and other agencies, where they have a recognised interest in an area (see Figure 2).
- 2.4 Where there are numerous stakeholders (e.g. Parish Councils), a representative may be appointed. Invitations will be sent to a number of agencies although it is recognised that not all of them will be able attend/participate.

Figure 2: List of Key SLAA Stakeholders

- | |
|---|
| <p>District-wide Stakeholders</p> <ul style="list-style-type: none"> • Campaign to Protect Rural England • East Herts Chambers of Commerce • East Herts Council (e.g. Planning, Engineering, Environmental Health) • East Herts Local Strategic Partnership (LSP) Organisations • English Heritage • Environment Agency • Hertfordshire County Council (e.g. Highways, Transport, Environment) • Hertfordshire Local Enterprise Partnership (LEP) Organisations • Hertfordshire Local Strategic Partnership (LSP) Organisations • Homes and Communities Agency • Home Builders Federation • Natural England • Thames Water <p>Area-based Stakeholders</p> <ul style="list-style-type: none"> • Call for Sites Consultees • East Herts Civic Societies • East Herts Town Clerks / Town Council Officers • East Herts Parish Clerks • Housing Developers • Neighbouring Local Planning Authorities • Planning Consultants / Agents • Registered Social Landlords (involved in new build projects) • SHMA and SHMA Viability Stakeholders • Small Scale House Builders • Volume House Builders |
|---|

2.5 Given the geographic nature of East Herts and the variety of stakeholders involved, it is proposed that that three Sub-groups are established reflecting the three main housing market areas in East Herts (see Figures 3 and 4). The housing markets represent relatively self-contained travel to work areas (excluding London) where on the whole residents live and work, and where they consider moving to when moving home.

Figure 3: SLAA Partnership Structure

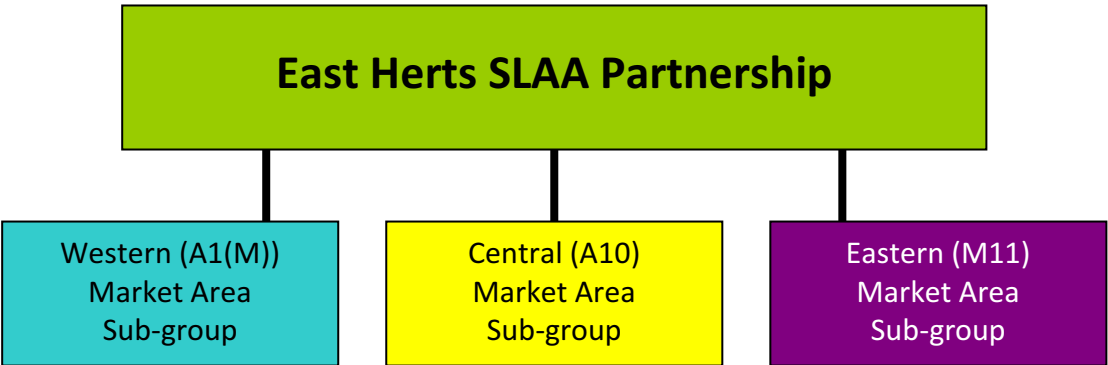
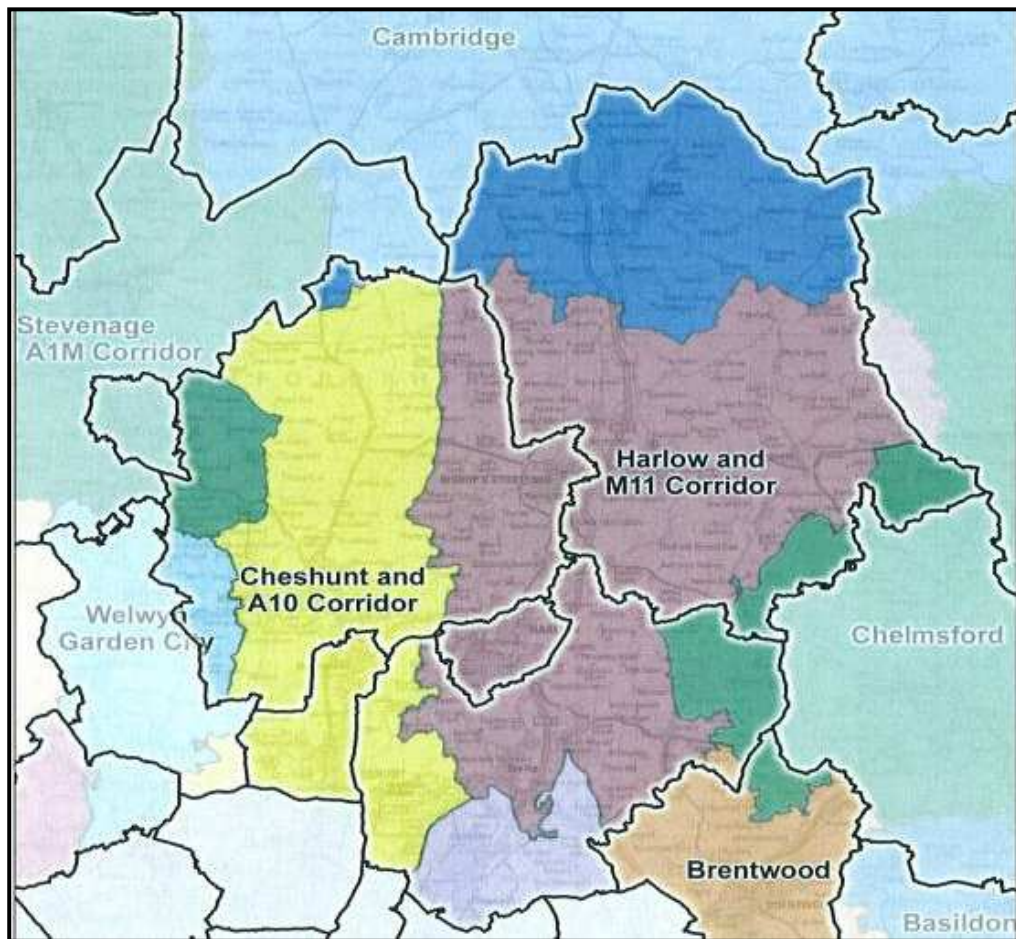


Figure 4: East Herts Housing Markets
(From LCB (East)/M11 SHMA, ORS, 2010)



- 2.6 The benefit of this approach is that not only should it increase levels of engagement with the SLAA process, but that members of the Sub-Groups will have greater expertise of the local property market and area.
- 2.7 The District-wide SLAA Partnership will include representatives of the different stakeholder groups. Its purpose will be to endorse the methodology and assumptions, prior to the assessment process, and then to quality check and risk assess the conclusions of the Sub-Groups. Stakeholders will then be placed into the relevant Sub-Grouping (Western (A1(M)), Central (A10), Eastern (M11)) and it will be these area Sub-Groups that will undertake the actual assessment of sites. As such, certain stakeholders or stakeholder representatives may sit on all three of the Sub-Groups (see Figure 2 above for list of stakeholders).
- 2.8 Due to the technical nature of this work and in order to maintain a clear distinction from the policy-making process, it is proposed

that County, District, and Town and Parish councillors are not invited to sit on the partnership. Councillors will however, be kept informed of progress on the SLAA. For the avoidance of doubt, Figure 5 identifies which parishes will be included within each area Sub-group.

Figure 5: Parishes by Area Sub-group

Western (A1(M)) Market Area Sub-group	Central (A10) Market Area Sub-group		Eastern (M11) Market Area Sub-group
Aston Benington Bramfield Datchworth Hertingfordbury Little Berkhamstead Tewin Walkern Watton-at-Stone	Anstey Ardeley Aspenden Bayford Bengeo Rural Braughing Brickendon Liberty Buckland Buntingford Cottered Great Amwell Great Munden Hormead Little Munden	Hertford Hertford Heath Puckeridge Sacombe Standon Stanstead Abbots Stanstead St Margarets Stapleford Thundridge Ware Wareside Westmill Wyddial	Albury Bishop's Stortford Brent Pelham Eastwick Furneux Pelham Gilston High Wych Hunsdon Little Hadham Meesden Much Hadham Sawbridgeworth Stocking Pelham Thorley Widford

- 2.9 Notwithstanding the above, East Herts Council Members will have the opportunity to endorse the Draft SLAA Report, expected at the next LDF Executive Panel in the Autumn.
- 2.10 The Draft Terms of Reference for the SLAA Partnership are attached as **Essential Reference Paper C** (and is also included as an Appendix to the Project Plan). Members of the SLAA Partnership will be required to sign this agreement prior to commencement of the Partnership.
- 2.11 Interest in the development of one or more potential sites will not preclude membership on the Partnership. However, members of the Partnership will be expected to indicate where potential conflicts of interest might arise with regard to sites that are being considered and shall take no part in the deliberations concerning such sites. This does not preclude providing information as to the deliverability (e.g. suitability, availability and achievability) of a particular site.

- 2.12 Ultimately, the purpose of the Partnership is to provide advice and opinions to the Council on the deliverability and developability of identified sites, and to add value to the SLAA process through the sharing of skills, expertise and knowledge.
- 2.13 The SLAA Partnership is part of the technical SLAA process of assessing whether a site could be developed. It does not make any decisions as to whether a site should be developed.

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

- Planning Policy Statement 3: Housing (PPS3), CLG, June 2010
- Strategic Housing Land Availability Assessments Practice Guidance, CLG, July 2007

LDF Executive Panel Reports:

- Local Development Framework Executive Panel 23rd September 2010 - Agenda Item 8: LDF Evidence Base - Technical Studies 2009/10 and 2010/11
<http://www.eastherts.gov.uk/index.jsp?articleid=15160>
- Local Development Framework Executive Panel 27th May 2010 - Agenda Item 7: Call For Sites Update Report
<http://www.eastherts.gov.uk/index.jsp?articleid=13789>
- Local Development Framework Executive Panel 27th August 2009 - Agenda Item 9: LDF Evidence Base - Technical Studies 2008/09 and 2009/10
<http://www.eastherts.gov.uk/index.jsp?articleid=9284>
- Local Development Framework Executive Panel 27th August 2009 - Agenda Item 8: Strategic Land Availability Assessment - Call For Sites Progress Report
<http://www.eastherts.gov.uk/index.jsp?articleid=9284>

Contact Member: Councillor M G Carver, Executive Member for Planning Policy and Economic Development

Contact Officer: Kevin Steptoe, Head of Planning and Building Control - Ext 1407

Report Author: John Careford, Senior Planning Policy Officer

ESSENTIAL REFERENCE PAPER 'A'

<p>Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i></p>	<p>Pride in East Herts <i>Improve standards of the built environment and environmental management in our towns and villages.</i></p> <p>Shaping now, shaping the future <i>Safeguard and enhance our unique mix of rural and urban communities, ensuring sustainable, economic and social opportunities including the continuation of effective development control and other measures.</i></p> <p>Leading the way, working together <i>Deliver responsible community leadership that engages with our partners and the public.</i></p>
<p>Consultation:</p>	<p>Engagement with appropriate stakeholders as required.</p>
<p>Legal:</p>	<p>Membership of the SLAA Partnership will require agreement to the SLAA Partnership Terms of Reference.</p>
<p>Financial:</p>	<p>LDF technical work is being funded from the Planning Policy / LDF Upkeep Budgets.</p>
<p>Human Resource:</p>	<p>Existing Planning Policy staff resources will undertake this study.</p>
<p>Risk Management:</p>	<p>In order to be found sound at examination, it is essential that the Core Strategy should be based on a robust evidence base.</p>