

Central Bedfordshire Council

EXECUTIVE

Tuesday, 10 October 2017

Central Bedfordshire Local Plan

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This report relates to a decision that is Key

Purpose of this report

1. This report provides an update on the schedule for the next phase of public engagement on the Central Bedfordshire Local Plan and the programme to achieve submission of the Local Plan to the Secretary of State by 31 March 2018.

RECOMMENDATIONS

The Executive is asked to:

1. **consider and endorse the revised timetable at Appendix A for the Central Bedfordshire Local Plan.**

Overview and Scrutiny Comments/Recommendations

2. The Chairman of the Sustainable Communities Overview and Scrutiny Committee has been consulted and had no objection to this report being taken as an urgent item at the Executive on 10 October 2017.

Local Plan Overview

3. The Central Bedfordshire Local Plan is the key strategic planning document for Central Bedfordshire and will guide and support the delivery of new infrastructure, homes and jobs. It sets out the long-term vision and objectives for the area, outlines what is going to happen, where, and how this will be achieved and delivered up until 2035. The first draft version of the Plan set out a number of potential strategic growth location options in addition to detailed policies which will be used to determine planning applications. It constituted a sustainable strategy and was informed by consultation and technical evidence.

4. The first draft of the Local Plan was subject to formal consultation from 4 July – 29 August 2017. There was a significant response to this consultation following extensive promotion through both conventional and digital channels. A number of drop in' sessions were hosted for residents, and social media was deployed to invite residents to understand more about the plan and take part in the consultation. Work is currently ongoing to process and analyse these responses to inform the next version of the Plan (the pre-submission version).
5. The lifespan of the document is 20 years, but it is anticipated that once adopted, it will have to be regularly reviewed in order to be able to respond to a number of emerging strategies; notably the Cambridge–Oxford growth corridor as identified by the National Infrastructure Commission¹. This approach is entirely consistent with national planning policy and emerging Government policy as set out in the Housing White Paper (February 2017) and the recently released consultation 'Planning for the Right Homes in the Right Places (September 2017).

Government Consultation and the Implications for Central Bedfordshire

6. The Plan is required to meet the Council's objectively assessed need (OAN) for housing for the plan period together with any agreed unmet need from neighbouring authorities, identified through Duty to Co-operate discussions. The Council was aware that the Government were due to consult on a revised method for determining the level of housing need by local authority area. In view of this Government consultation and the potential for changes to Central Bedfordshire's identified housing need, the consultation draft of the Local Plan planned for a range of between 20-30,000 new additional homes and 24 – 30,000 new jobs.
7. Last month, the Government's long awaited consultation which included this new methodology was published. The housing need figure for Central Bedfordshire that was generated by this standardised approach was 2553 homes per annum. This represents a 60% increase on our current OAN of 1600 homes per annum and is far in excess of the average increase of 35% across local authority areas nationally.
8. At Full Council on 28 September 2017, Members voted unanimously in support of a motion to robustly challenge the proposed methodology through the consultation process, on the basis that it is neither deliverable nor reasonable.
9. The proposed methodology and potential new OAN figure would also undermine the Council's position in challenging speculative planning applications as it would no longer be able to demonstrate a five year housing land supply.

¹ National Infrastructure Commission Interim Report, November 2016

Revising our Local Plan Timetable

10. Members and Officers of the Council will continue to put forward arguments to challenge the proposed new methodology during the period of consultation. However, it is also considered prudent for the authority to anticipate the possibility that the new methodology may be imposed and to act in a way which limits the negative implications of this.
11. Were the Government to uphold its proposed methodology, this would apply to local authorities not proposing to submit Plans by 31 March 2018.
12. The Council has committed to publish the next iteration of the plan and engage in further public consultation in early 2018, following which additional technical work was envisaged to take place in advance of submitting the draft Local Plan next autumn.
13. However, in the context of the potential impact of the revised methodology for housing need assessment, it is now proposed that a timetable that allows for submission of the Local Plan in March 2018 should be pursued. This would enable the Council to retain its current published OAN of 32,000 homes which would be used as the baseline for developing a 'plan target'. This is an overall housing requirement figure that includes the OAN, together with any contingency and any agreed unmet need.

Proposed Approach to Growth

14. In adopting this revised timetable, it is proposed that we plan for the lower end of the range set out in the consultation draft. This amounts to 20,000 new homes on a range of sites in addition to committed growth. The basis for this figure would still be the current OAN in the published 2017 Strategic Housing Market Assessment, rather than the inflated OAN proposed by the new standard methodology.
15. In terms of economic growth, we would continue to propose the delivery of 24,000 jobs which would incorporate jobs to meet strategic demand in the key transport corridors for warehousing and logistics, as well as new jobs on existing employment sites and at the housing led mixed use strategic sites.

Opportunities and Risks

16. The benefit of amending the programme for submission is the opportunity to retain our current assessed figures for housing need and deliver a Local Plan with a balanced and deliverable approach to sustainable growth. This would be in accordance with the clear strategic approach set out in the consultation draft of the Plan.

17. Additionally this would enable the Council to maintain a five year housing land supply, albeit that the proposed delivery rates within the draft local plan will mean that retaining a supply will continue to remain challenging.
18. However, it is also the case that the shortened programme for submission does mean there are reduced opportunities to build in contingency for any unforeseen circumstances which brings with it a degree of risk.
19. To meet the revised programme, officers will need to work with purpose and pace to prepare for the next round of public consultation and engagement which was already scheduled for January 2018. Work will also continue on the next phase of evidence gathering, including further Sustainability Appraisal work, transport modelling and viability evidence to support site allocations.
20. Some of the more detailed site specific elements of the evidence base that would generally support a pre-submission plan will also need to be streamlined. However, the National Planning Policy Framework reminds local authorities to use a 'proportionate evidence base' and this is the approach that will be taken.
21. A streamlined and higher level evidence base does present clear risks to 'soundness' of the plan. However, whilst every effort will be made to mitigate such risks, they also need to be evaluated in the context of the potential risks of the new housing need methodology and the implications of this on our plans and our communities.

Options for Consideration

22. The recommended option is to agree the timetable at Appendix A to allow the Local Plan to be submitted in March 2018.

Reasons for Decision

23. Producing a Local Plan is a priority for the Council for a number of reasons. The Government is clear that Local Authorities are expected to have up to date plans in place to guide development within their area to plan for the infrastructure, homes and jobs that our residents need. This revised timetable will accelerate this process and provide a firm foundation for the delivery of sustainable growth for Central Bedfordshire.
24. Having a submitted Local Plan will mean that the Council retains control over where development should be located rather than it being delivered in an ad hoc manner as a result of speculative development, sometimes without sufficient benefit to local communities.

Council Priorities

25. The Central Bedfordshire Local Plan, as an overarching planning policy document, has the potential to contribute to each of the Council priorities. The main focus of the document is “Enhancing Central Bedfordshire” through planning for the new homes, jobs and infrastructure the area needs while protecting the countryside. However, the strategy can also help contribute to creating stronger communities, improved educational attainment and promoting health and wellbeing, through the delivery of ‘walkable’ neighbourhoods, new open space and leisure facilities funded by developer contributions.

Corporate Implications

Legal Implications

26. Once adopted the Local Plan will form part of the statutory Development Plan and will be used to determine planning applications. Until this happens the existing adopted plans will continue to set the planning framework. The Local Plan has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and ensuring that this condensed programme is legally compliant will be critical. The timetable proposed below for the production of the next draft of the plan and its submission for a final round of consultation is ambitious but achievable provided that resources allow for these steps to be met.

Financial and Risk Implications

27. Other than staff costs already built in to the base budget, the main financial cost associated with producing this draft Local Plan are specialist consultant’s costs in preparing technical studies. Costs are being met from within the Development Plan budget already approved by Council. Funding will be drawn down as required from the budget and Local Plan reserve. Approximately £180K was spent from the budget in 2015/16 and £280K in 2016/17 with £73,500 recouped via contributions from other Local Authorities in relation to joint work on the evidence base.
28. There may be some additional resource implications to deliver this ambitious timetable and these will be reported as the detailed programme is finalised.

29. The scale of the Council's investment should be seen in the context of the scale of new investment (new commercial and retail development as well as residential) into Central Bedfordshire that a Local Plan will enable. The cost of plan-making should also be seen against the cost of the alternative approach of fighting costly appeals against speculative development.
30. Failing to adopt a "sound" Plan could lead to a failure to deliver the required levels of housing, jobs and infrastructure proposed for growth and regeneration in the area in a planned way. Local Plans must take into consideration the soundness tests set out in the NPPF. These tests need to be complied with otherwise there is a risk that a planning inspector could find the Plan unsound. To help minimise this risk to date, the evidence base has been refreshed and specialist external advice sought on the robustness of the process. However a condensed programme moving forward will significantly increase risks in relation to soundness.
31. An internal officer Project Board which reviews risks and mitigation on a regular basis through a risk register has also been in operation throughout the lifespan of the Local Plan programme.

Sustainability

32. The Local Plan is subject to a Sustainability Appraisal (SA), which promotes sustainable development through assessing the extent to which the emerging Plan, when judged against reasonable alternatives, will help to achieve environmental, economic and social objectives. Health and equality considerations have been integrated to ensure that these issues are also well represented in the assessment. The SA makes a varied appraisal, identifying mostly positive and neutral effects with some negative effects of the emerging approach.
33. Further detail through the SA work produced to support the pre-submission version of the Plan will help address some of the potential neutral or negative effects. The Council must consider the findings of the SA alongside the wider evidence base to inform decision-making in relation to the selection or rejection of alternatives and development of policy for the Local Plan. SA is an iterative and ongoing process that must be undertaken to support the next stage of plan-making.

Equalities Implications

34. The Draft Plan is subject to a specific Equalities and Diversity Impact Assessment (EqIA). At this stage the initial screening demonstrates that the draft Local Plan covers a broad range of issues and does not discriminate against protected groups. The overall Plan was mostly positive in terms of helping to advance equality of opportunity.

This EqlA will be revised and updated as the Plan progresses but as no negative effects have been identified at this stage a full EqlA will not be required.

Conclusion and next Steps

35. The consultation Draft Plan was the culmination of 16 months of extensive technical evidence gathering and analysis, underpinned by high level consultation and community planning work. The consultation document was therefore a robust strategy which met legislative and policy requirements and this will provide a firm foundation for the accelerated programme ahead.
36. Subject to Executive agreeing this timetable, work will commence immediately on the next draft of the plan (the pre-submission version) in preparation for the final formal consultation from December – January 2018 (regulation 19).
37. Following this consultation, all representations to the consultation will be reviewed and any proposed modifications will be recorded before the Local Plan and all supporting technical work is submitted to the Secretary of State before the end of March 2018.
38. The Local Plan will then be examined by an independent inspector and if found 'sound' adopted by the Council as the development plan for Central Bedfordshire before the end of 2018.

Appendices

Appendix A: Proposed revised timeline for the Central Bedfordshire Local Plan

Background Papers

None

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