

Report to: Cabinet
Date of meeting: 4 July 2016
Report of: Planning Policy Section Head
Title: Publication of Local Plan 2006-2031, Part 2, Site Allocations and Development Management Policies

1.0 **Summary**

- 1.1 Local Plan Part 1 Core Strategy was adopted in January 2013. Part 2 provides the detailed development management policies and site allocations to support delivery of the strategy and vision set out in Part 1, for the period to 2031.
- 1.2 Publication of Part 2 is proposed to take place during August and September 2016. Although this is technically the first “formal” consultation stage, regulations limit comments at this stage of consultation to compliance with legal requirements and defined soundness tests.
- 1.3 Engagement with the local community, developers and other stakeholders has already taken place through several rounds of “informal” consultation over the period from 2013-2016. This engagement has been used to prepare the publication version, and is summarised in a Consultation Statement which will be ready to accompany the Publication.
- 1.4 The Local Development Scheme, (https://www.watford.gov.uk/downloads/file/894/local_development_scheme_-_a_work_programme_for_the_watfords_local_plan_2016-2019_april_2016) effective from 1st April 2016 indicates that following publication we expect to submit the Local Plan Part 2 for examination in February 2017, with adoption in January 2018. Post submission timescales will be dependent on the capacity of the Planning Inspectorate to deal with plan examinations.
- 1.5 Work is already separately underway on the evidence to underpin the review of the Plan to 2036.

2.0 **Recommendations**

- 2.1 That Cabinet agrees Local Plan Part 2 can progress to Publication consultation.
- 2.2 That Cabinet agree that editorial, formatting and minor changes to Local Plan Part

2 and accompanying proposed submission documents (including if needed as a result of the related separate consultation on the inclusion of the optional national technical space standard) can be agreed by the Portfolio Holder and Head of Service ahead of Publication.

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Report approved by: Jane Custance, Head of Regeneration and Development

3.0 Detailed Proposal

- 3.1 We last consulted on a full draft of the Local Plan Part 2 from December 2014 to February 2015, further to consultation on a first draft around a year earlier. This was supplemented by additional consultation on a potential school site in Bedford Street during the summer of 2015, and consultation on additional policies and key changes from December 2015 to February 2016. A related consultation on an update to the Residential Design Guide to incorporate the optional national technical space standards (which requires a related additional policy in Local Plan 2) was reported to Cabinet on 6th June – the outcome of this should be known before Publication leaving scope for further amendment should the need arise.
- 3.2 The plan has been revised to take account, where appropriate, of comments received during these consultations, along with relevant changes to national policy, emerging new evidence, and the findings of independent sustainability appraisal, to produce a full version of the plan as we intend to submit for examination.
- 3.3 This will be published for a consultation of at least 6 weeks, from mid August.
- 3.4. At this stage comments are limited to matters relating to defined tests of soundness and to legal compliance, including with the duty to cooperate.
- 3.5 So long as no significant matters arise from the consultation, the plan will then progress to submission for examination.
- 3.6 It is proposed that the consultation runs in parallel with consultation on Masterplans for Watford Junction and Ascot Road.

- 3.7 Final sustainability appraisal and strategic environmental assessment is being undertaken to produce an Environmental Report to accompany the Publication consultation. Equalities Impact Assessment is also being reviewed to ensure new/amended policies since this was initially undertaken are assessed.
- 3.8 The Publication will also be accompanied by a Consultation Report, A Duty to Cooperate Statement, a range of supporting evidence, and a statement of representations procedure explaining how to comment (explaining the legal and soundness tests in more detail). A printed and interactive map showing what the new policies map would look like will also be available.

3.9 **Consultation Process:**

Consultation relating to Local Plan Part 2 will reflect the approach set out in the Council's Statement of Community Involvement. In line with this approach we will make the Local Plan and accompanying documents available online and at the Town Hall and at local libraries, along with a statement of representations procedure detailing how to respond. We will notify everyone on our consultee list and place an advert in the local press. The consultation will be available online in our Local Plan consultation software which allows people to easily view the policies and related mapping and to respond online. In addition to these steps we are working with the Communications team to update branding of the Local Plan and related documents, to publicise the consultation on social media and through council e bulletins, and to prepare press releases and potentially posters. We may also arrange some public meetings including consultants working on some of the related projects/evidence.

- 3.10 Key issues in Local Plan 2 to be aware of include:

Clarendon Road/Station Road/Bridle Path Office Area:

Clarendon Road is a prime and sustainable location for offices, connecting the main rail station and the town centre, and is identified as such in the Core Strategy. However there has been ongoing pressure for redevelopment to other uses.

- 3.11 Studies (Watford Economic Growth and Delivery Assessment 2014, and emerging evidence for the plan review in the South West Herts Economy Study 2015) show that office take up rates are strong and that a significant amount of additional office space is needed in Watford now and in the future. Supply is not meeting demand and without improving both the quality of existing stock and adding to the supply, there is a risk that demand will go elsewhere, potentially outside the Borough. New grade A quality office floorspace is therefore needed to meet existing and future requirements in this convenient and sustainable location, with its excellent public transport links. The policy supports the

replacement of older floorspace to deliver additional, well designed, high quality office floorspace.

- 3.12 Emerging evidence in relation to Clarendon Road supports the case for delivering viable office development in this area without a need for mixing commercial and residential uses. Furthermore the fine urban grain of the area is generally unsuitable for mixing uses within plots. Whilst a mix of residential uses and office development on plots has been tested, this approach limits the potential to achieve high quality design with suitable access and parking.
- 3.13 An element of uses which support the primary office function of the area such as ground floor coffee shops, conference facilities, gyms, crèches is desirable.
- 3.14 Clarendon Road has been identified as a potential location for taller buildings in the additional taller buildings policies which were subject to consultation from December 2015 to Feb 2016 alongside the accompanying Supplementary Planning Document Skyline.

3.15 **Open Space and Children's Play Space:**

This policy has been rewritten to reflect the Council's adopted Green Spaces Strategy as the previous approach (rolled forward from Watford District Plan 2000) was no longer appropriate following the adoption of a CIL Charging Schedule and changes to the rules relating to s106. Rather than setting out a specific standard, the requirement for open space and children's play space will be considered with regard to the level and quality of existing provision, and any shortfall resulting from the development. The approach recognises that contributions to improving existing provision may be more appropriate than provision on site in some instances.

3.16 **Cemeteries:**

A cemetery site allocation is no longer proposed since the only new site within the borough previously proposed for consultation (land at Russell Lane) was ruled out due to the likelihood of groundwater contamination (falling within source protection zone 1). Use of currently unused land at North Watford cemetery for burial is also potentially subject to groundwater issues and would need ongoing testing, but would not require allocation, falling within an existing cemetery. The other site considered, at Paddock Road, falls outside of the Borough, within Hertsmere so cannot be allocated within the Watford Local Plan. Hertsmere's Local Plan has already been submitted and is currently in the process of examination, and does not include the site at Paddock Road.

- 3.17 The Council's recently adopted Cemetery Strategy (Feb 2016) identifies that future burial provision needs to be explored. The Council's Green Spaces

Strategy provides a framework for examining existing typologies of the borough's green infrastructure and evaluating, in light of current planning policies, whether they could be re-designated for alternative green infrastructure use, which could include cemetery provision.

3.18 **Sites:**

The list of allocated sites has been refined as some of those previously proposed for allocation have already come forward for development (so no longer need to be allocated) whilst others appear unlikely to come forward. The allocation sites are expected to accommodate just over 3,000 new dwellings (3,093) over the period to 2031. This is higher than the 596 of the 6,500 dwellings for the period 2006-31 remaining once completions and commitments are taken into account. The majority of these will form part of mixed use developments including Watford Junction, and in the Western Gateway SPA. The higher provision reduces the likelihood of challenge to Local Plan 2 recognising that recent population forecasts, and the evidence base for the next Plan Review which is already underway, show more housing than the 260 per annum in the adopted Core Strategy is likely to be needed in future.

3.19 Individual sites that have been removed for other reasons are:

BT Depot Reeds Crescent – we consulted on options for this to be allocated for either employment or residential. The owners and their agents objected to the employment allocation but no other comments were received. The location makes the site suitable for either use so leaving it unallocated provides greater flexibility for the demand for housing v employment to be assessed at the time the site becomes available.

Town and Country Club, Rosslyn Road – this was removed as the owner advised it would not be available for development.

Woodside Leisure Park – the policy relating to this site has been removed. There is no certainty regarding when or even if this site would become available for redevelopment meaning the policy, which was not an allocation, was fairly weak. Again this is a site that could be suitable for a variety of uses – it may be appropriate for allocation in the next plan depending on circumstances at that time.

Bedford Street School Site – land at Bedford Street was previously proposed as a school allocation in connection with development at Watford Junction. The Watford Junction masterplanning work is currently looking at alternative locations to provide 2 primary schools elsewhere within the masterplanning area. The Publication version retains Bedford Street within the Watford

Junction Special Policy Area to allow it to be considered as part of the wider mixed use regeneration scheme, but it is no longer specifically proposed as a school location. Emerging work suggests that residential uses would likely be more appropriate in this area.

- 3.20 The recent Housing and Planning Act introduces the concept of permission in principle, which means there is scope for allocation in a Local Plan to automatically confer planning permission in principle, with an application for technical details being required. The detail of how this would work is still unknown (as it is subject to further regulation from Government) but it appears there would be the option for Local Authorities to specify whether allocation confers this permission in principle or not in their area. This has not been specified at this stage due to the lack of certainty at this point about how this would work.

3.21 **Electric Charging Points**

The independent sustainability appraisal flagged up that the proposed requirement for electric charging points was very low and would soon become insufficient. The requirement has therefore been reconsidered, taking account of (but not replicating) requirements recently set out in The London Plan. The policy requires a charging point for each new home with adjacent parking place (as per the previous consultation) and that overall (i.e. including the per dwelling provision above) at least 1 in 10 parking spaces provides an active charging point, and a further 1 in 10 provides the power connection for one to be installed easily in future (known as a passive charging point). The previous version required a point for approx every 50 spaces separately to the per dwelling provision. This requirement is being incorporated into the viability assessment to accompany the plan.

3.22 **Green Belt Policy**

Presentation of the Green Belt Policy has been revised following (informal) advice on this matter from the Planning Inspectorate. The plan proposes changes to the Green Belt boundary which have been consulted upon several times and which will be subject to examination. The detail of these has not changed. On adoption these will be reflected in a revised boundary on the policies map and a policy listing the changes would have no meaning for development management purposes. Policy relating to development within the Green Belt is already set out in national policy and in the Core Strategy Policy GI2. The Local Plan Part 2 policy has therefore been significantly shortened to refer simply to the Green Belt boundary being shown on the Policies Map and the detailed explanation of the changes moved to an appendix to assist the examination (this will likely not be necessary to retain in the final adopted plan).

3.23 **Examination:**

Examination of the plan commences upon submission, currently timetabled for February 2017. The idea of the various rounds of consultation is that matters of disagreement are resolved before the plan reaches submission, allowing a short examination.

3.24 **Risks:**

Potential risks with progressing Local Plan Part 2 rather than progressing immediately to a full plan review have been reported to Leadership Team and Portfolio Holders during the plan preparation period. There have been some successful challenges to local authorities progressing with a plan based on the abolished regional spatial strategy, which applies partially to the Watford Core Strategy (although adopted post RSS abolition and post NPPF the housing target and gypsy and traveller provision is close to that in the old East of England Plan). However, neighbouring authorities, including Hertsmere and Dacorum have been progressing with their Local Plan Part 2 documents in a similar way to Watford (and with commitments to early review), and there has been no issue at examination. We are taking a pragmatic approach, already going well beyond the allocations required to meet the Core Strategy housing target, and already working with neighbouring authorities on the shared evidence to underpin a speedy plan review. Progressing Local Plan Part 2 should enable us to have a full plan in place more swiftly than if we abandoned it in favour of a review. Other risks relate to potential challenge from developers of individual sites (which could require a further round of pre-submission consultation). There is also a risk of staffing levels and technical issues delaying the start of the consultation. Changes to national policy are considered quite likely as the government continues to reform the planning system – but the effect of these changes is currently uncertain, and could potentially be affected by the outcome of the EU referendum (which will be known ahead of the meeting). A fuller assessment of risks is also set out in the Local Development Scheme, which came into effect in April 2016.

4.0 **Implications**

4.1 **Financial**

- 4.1.1 The Head of Finance notes that there are no financial implications identified in the report and therefore it is taken that any costs would be contained within previously agreed budgets.

4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 The Head of Democracy and Governance comments that prior to the submission of the plan for Examination the final proposed plan will need to be approved by Council.

4.3 **Equalities**

- 4.3.1 An equalities impact assessment was undertaken and published alongside the first consultation on Local Plan Part 2. The initial screening found that most policies had a neutral effect or were not relevant (i.e. that whether a person had one of the protected characteristics or not had no relevance to the impact of the policy). No significant impacts were identified, either positive or negative, which required further assessment. This exercise has been reviewed to reflect the final policy wording, and again found that there were no significant effects.

4.4 **Potential Risks**

| Potential Risk | Likelihood | Impact | Overall score |
|----------------------------------------------------------------------|------------|--------|---------------|
| Challenge to soundness of progressing with Local Plan Part 2 | 2 | 3 | 6 |
| Challenge on individual sites or policies | 3 | 3 | 9 |
| Insufficient staff available (either in policy or supporting teams) | 2 | 3 | 6 |
| Changes to national policy affecting validity of local policies | 4 | 3 | 12 |

4.5 **Staffing**

- 4.5.1 Preparing and publishing a consultation takes considerable time and resources. Sufficient staff should be retained and available in the policy team and supporting teams such as Communications to deliver a suitable level of consultation and engagement.

4.6 **Accommodation**

- 4.6.1 Meeting venues may be required for public meetings. In line with the equalities duty and commitment in the Statement of Community Involvement, any such venue should be fully accessible.

4.7 **Community Safety**

- 4.7.1 The plan contains a policy on Community Safety.

4.8 Sustainability

- 4.8.1 Sustainability Appraisal has been undertaken at every stage of plan preparation – an Environmental Report will accompany the Publication.

Appendices

- Appendix 1 – Publication draft Local Plan Part 2 (printed separately)

Background Papers

No papers were used in the preparation of this report

File Reference

- SP2.3.3