

PART A

Report to: Cabinet
Date of meeting: 11 September 2017
Report of: Deputy Managing Director
Title: Local Plan Review 2016 - 2036

1.0 **Summary**

1.1 This report recommends that Local Plan Part 2, which sets out the Site Allocations and detailed Development Management policies to support delivery of the vision and strategy set out in Local Plan Part 1 Core Strategy, is not submitted for examination. In light of a recent appeal decision, and changes set out in the Housing and Planning White Paper, it is considered that resources would be better focussed on progressing work on the Local Plan review, to set out plans for Watford to 2036. Legal advice supports this approach.

2.0 **Recommendations**

2.1 That Cabinet recommend to Council that the Local Plan Part 2 is not submitted for examination and that resources should now be focussed on progressing the Local Plan Review to cover the period 2016-2036.

Contact Officer:

For further information on this report please contact: Vicky Owen, Spatial Planning Manager

telephone extension: 8281 email: vicky.owen@watford.gov.uk

Report approved by: Nick Fenwick, Deputy Managing Director

3.0 Detailed proposal

- 3.1 Local Plan Part 2 would have set out site allocations and detailed development management policies to deliver the level of development (including 6,500 homes and 7,000 jobs) and the vision set out in the Local Plan Part 1 Core Strategy. At March Council a report on Local Plan Part 2 was withdrawn as officers were considering not submitting it for public examination due to the factors that are listed below. Council noted the position and it was agreed that Cabinet and Planning Advisory Committee would be kept informed of developments.
- 3.2 The Core Strategy was adopted in January 2013. Together the 2 parts would complete the Local Plan for Watford for the period 2006-2031. The Core Strategy included a commitment (at para 4.1.5) to keeping housing and other figures under review in the light of new evidence and joint working with neighbouring authorities and other partners in line with the council's duty to cooperate and to keep the Core Strategy under review.
- 3.3 Recent evidence suggests the need for new homes and jobs is likely to be much higher than planned for in the Core Strategy. The South West Hertfordshire Strategic Housing Market Assessment, and Economy Study, both prepared with neighbouring authorities in line with the Duty to Cooperate, as part of the evidence base for reviewing local plans to 2036, suggest the objectively assessed need for homes in Watford is 577 per year (compared to the 260 per year proposed in the Core Strategy), and 491 jobs (of all types – not just Use Class B jobs). It is important to note that these figures do not represent plan targets – the appropriate target will need to be determined as part of the plan making process, looking at all reasonable alternatives and taking account of constraints.
- 3.4 Previously the intention was to progress Local Plan 2 to submission, using the Core Strategy housing and employment targets, whilst continuing to progress work on the Local Plan review to take account of the higher figures. This approach was consistent with that taken by nearby authorities including Hertsmere, Three Rivers and Dacorum, but had been recognised as a risk.
- 3.5 An appeal decision in relation to a residential application at Caledonian House on St Albans Road in April 2017 triggered further questions around whether to progress Local Plan Part 2. Although the key issues related to design, and impact on a conservation area, the Councils' five year housing supply was also considered. The relevant issue is that of whether the five year housing supply should properly still be assessed against the Local Plan target (260pa), given the availability of a more recent OAN (objectively assessed need) figure.
- 3.6 The Council should now take account of the more recent assessment of housing need,

and that, until the appropriate up to date target has been determined through the plan making process, the five year supply should be calculated using the OAN figure of 577. At the time of the Caledonian House appeal the Council did not have a five year housing land supply, although we currently have a 5.2 year supply due to a number of recent planning consent being granted.

- 3.7 The recent Housing White Paper stated that Government would introduce a standard methodology in view of the confusion and inconsistency in methods being used. This has not been introduced as yet but is expected within the next 6-9 months. Furthermore, the white paper also raised the matter of local authorities reviewing Local Plans every five years.
- 3.8 Work undertaken so far to prepare the Local Plan Part 2 has not be wasted as it will feed directly into the preparation of the plan review which is already underway.
- 3.9 Notification of the start of the Plan Review process (Reg 18 Notification) took place in December 2016 and work on the evidence base to inform the plan review is already underway. As well as the Housing and Employment Studies mentioned above we are or will be working, with neighbouring authorities where appropriate on a number of other evidence studies (some in house and some by commissioning consultants) including:
- Sustainability Appraisal/Strategic Environmental Assessment
 - Housing and Employment Land Availability Assessment
 - Gypsy and Traveller Accommodation Needs Assessment (including the broader need for caravan and houseboat accommodation)
 - Green Belt Study (Stage 1 – Assessment against the purposes of including land within the green belt))
 - Retail and Leisure Study
 - Open Space Study
 - Car and other vehicle parking
 - Water Cycle Study (Stage 2)
 - South West Herts Growth and Transport Plan (HCC)
 - Flood Risk Assessment Level 2
- 3.10 **What are the implications for decision taking in the meantime?**
- 3.11 Although we currently have a 5 year supply the situation is marginal and therefore constantly needs to be reviewed- at times when the Council does not have a 5 year land supply, policies relating to the supply of housing are considered out of date, according to para 49 of the NPPF. Other Local Plan Part 1 Core Strategy policies would still apply, along with the remaining saved policies of the Watford District Plan 2000. Policies set out in the National Planning Policy Framework (NPPF) would also be used by Development Management as at present.
- 3.12 Usually the degree of weight to be given to policies in a Local Plan which has reached

Publication stage, as was the case with Local Plan Part 2, is related to whether the policies are subject to soundness objections. This means that most of the Local Plan Part 2 could potentially still be afforded some weight. The key soundness objection related to the need for evidence of the ability of the transport network to cater for the level of growth proposed (a level which was not set out in LPP2 but in the adopted Core Strategy). This concern is being addressed by work on the South West Hertfordshire Growth and Transport Plan which, whilst not available to inform Local Plan Part 2, can now inform work on the Local Plan review. Development Management policies were not subject to significant soundness objections, although wording improvements were proposed.

- 3.13 The proposed housing sites proposed in Local Plan Part 2 which are not already subject to planning permission could still be taken forward through the brownfield register. The government requires all local authorities to publish a register of all brownfield sites suitable for housing by December 2017. This would work together with the “permission in principle “ regime, whereby those sites deemed to be both suitable and available are included in Part 2 of the register which would benefit from permission in principle. Detailed matters would still require approval. Information about the brownfield register was reported to Cabinet in July.

3.14 **Way Forward**

- 3.15 In terms of delivery timescales Issues and Options Consultation is programmed for early 2018 with Submission in 2019 and adoption in 2020.

- 3.16 Focussing resources on reviewing the Local Plan rather than progressing a plan which is already out of date should enable us to have an up to date plan in place more quickly. In the meantime, the NPPF and existing policies can be used to guide negotiations and development decisions.

- 3.17 A local plan review would provide the opportunity to assess Watford’s growth capacity and necessary infrastructure to meet future needs. Delaying a review would mean that Watford could be more exposed to development pressures and that essential infrastructure may not be delivered in a timely way.

- 3.18 Within South West Herts, Three Rivers, Hertsmere and Dacorum are already working on plan reviews, whilst St Albans is also working to update its Plan. Moving straight to a review would put our timetable more in line with these surrounding authorities as we work together under the Duty to Cooperate.

3.19 **Risks**

- 3.20 Whilst Local Plan Part 2 Publication policies would have some weight, they would not have the same weight as those that had gone through the examination process. However many of these would be integrated into the Review.

- 3.21 Changing government legislation has been a matter of concern over the past eight years with over 500 changes to the planning system. More are expected but a local plan supported by an up to date evidence base would provide greater certainty.
- 3.22 The future of the Metropolitan Line Extension remains unclear given the current funding shortfall. Depending on the final decision, a new plan provides the opportunity to test alternative options if required.
- 3.23 Brexit could affect multiple issues including demographic, investment and policy. Given the timescales for Brexit and uncertainties a number of scenarios would also need to be tested as part of the plan making process.
- 3.24 Concern that Watford could become a target for DCLG on under delivery of housing. Following discussions with DCLG it was clear that there are many other authorities being considered for intervention as they have no plan in place but not Watford . The Council has a 5 year housing supply and is progressing the plan review.

4.0 **Implications**

4.1 **Financial**

- 4.1.1 The Shared Director of Finance comments that the current budget will cover the costs during the 2017/18 financial year and a review of future funding requirements will be undertaken in time for the 2018/19 budget setting process.

4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 The Head of Democracy and Governance comments that the legal implications are contained within the report.

4.3 **Equalities/Human Rights**

- 4.3.1 Equalities Impact Assessment will be undertaken as the plan review progresses, alongside health impact assessment and sustainability appraisal.

4.4 Potential Risks

The following risks are identified in the Project Initiation Document (PID) for the Local Plan Review

Potential Risk	Likelihood	Impact	Overall score
Changing legislation	4	2	8
Change of administration	4	2	8
Staff changes	4	3	12
Brexit	4	3	12
Resource reduction	2	3	6

4.5 Staffing

4.5.1 No impact

4.6 Accommodation

4.6.1 No impact

4.7 Community Safety/Crime and Disorder

4.7.1 No impact

4.8 Sustainability

4.8.1 Sustainability Appraisal including Strategic Environmental Assessment will be undertaken and subject to consultation at every stage of plan preparation

Appendices

- No appendices

Background Papers

- No papers were used in the preparation of this report

File Reference

- None