

Bolsover District Council

Planning Committee

Date: 25th October 2017

Report on Local Plan Timetable

Report of the Joint Assistant Director of Planning and Environmental Health

Purpose of the Report

- To consider the need to amend the current timetable for the preparation of the Local Plan.
- To agree to the publication of a live on-line update until the final dates for the new Local Development Scheme can be agreed.

1 Report Details

Background

- 1.1. On the 15th June 2017, the Local Plan Steering Group received a report that agreed:
 - i. That the Web site is updated to indicate that the existing LDS no longer applies and is being updated
 - ii. That work continues to resolve existing uncertainties to a new time table and that the LPSG be kept aware of this work.
 - iii. That a report be brought before a future LPSG, to discuss a new LDS, in advance of a new LDS being agreed by Planning Committee.
- 1.2. An update of that report was given to the LPSG on 10th October, and that is the basis of this report.
- 1.3. The June report focused on a number of issues that were creating uncertainty and elevating the risk in terms of bringing a new Local plan forward on the originally agreed timetable.
- 1.4. The main issues of concern were
 - a) **The Housing White Paper – ‘fixing our broken housing market’**, came out in February 2017, several months later than anticipated. It includes a package of measures which may or may not work their way through to legislation or national policy in the NPPF. Our main concerns were:
 - i. A new NPPF was promised, but it is now understood that this is now to be released in March 2018. Whilst this may impact on the final stages of the Plan, the direction of travel is fairly clear and it is considered that the Local Plan will be robust enough to incorporate it

- ii. A new approach to Local Housing figures. This has now been published for consultation (14/09/2017) and we can now see a way that this can be incorporated into a robust plan.

- b) **Strategic Housing Market Area Assessment (SHMAA)** – This is a key part of the evidence base for the Local Plan which provides the basis for assessing objective housing needs and is required to inform the setting of the housing target for market and affordable needs. The final Draft has now been received and the proposed OAN and the new Government approach, gives us a way forward as discussed below.
- c) **Whole Plan Viability Study** - This is a key part of the evidence base. For the Plan to be found sound the Council must be able to demonstrate that the plan is viable and deliverable. The Study is currently being carried out jointly with CBC & NEDDC and a Draft is expected in Mid October.
- d) **Green Belt** – The White Paper proposes to amend national Green Belt policy to clearly define the ‘exceptional circumstances’ that are required to be met in order to justify amending Green Belt boundaries. It has also added emphasis on requiring Council’s to show that the authority has fully examined all other ‘reasonable options’ to meet housing need. This work is advancing well and will dovetail into other work areas.
- e) **Emerging issues** – The consultation event and further work that we have undertaken has highlighted some complications in relation to varied sites which need to be worked out prior to the final decisions on the Publication Local Plan being taken.

- 1.5. The Council adopted the current timetable for the preparation of the Local Plan in October 2014. Since that time the Planning Policy Team, supported by the Local Plan Steering Group and Members has worked well to keep to the adopted timetable, most recently with the public consultation on a Draft Plan at the end of 2016. Additional resources have been secured to facilitate this with an augmented staff structure achieved through the implementation of the shared service, including the appointment of an Interim Manager.
- 1.6. Over this period there have also been significant changes in National Planning Policy, with yet more changes signalled through the Housing White Paper and the recent consultation on ‘Planning for the right homes in the right places’, all of which must be accommodated in the emerging Local Plan if it is to be found sound at examination. Uncertainty has been added to by the recent suggestions of a new NPPF in the spring of 2018
- 1.7. Keeping to the timetable proved to be challenging and at times it was necessary to adjust the content of the document at specific stages to allow for gaps in the evidence base, and/or to allow for broader Member involvement and buy-in before key decisions have been taken. Whilst the early stages of plan production can accommodate such a flexible approach, we could not continue on that basis for the Publication Stage, as the version we publish should be the version we expect to submit to the Secretary of State for examination. We should not be making any significant changes, post-publication. To do so could lead to even further delay with additional rounds of consultation being required.

- 1.8. It is therefore of great importance to ensure that we publish a sound Plan based upon a complete and comprehensive evidence base and a thorough consideration of our strategy and approach. This has not been possible with the original timetable for the reasons set out above.

Current Position

- 1.9. Whilst the Government has not suggested that plan production should be delayed on the basis of the all of the uncertainties that they are introducing, it is necessary and right for the Council to take stock and assess the risks associated with pursuing a Plan that may be rendered unsound at examination because of changes that are being introduced which affects the evidence base.
- 1.10. There are still a few gaps in the evidence base, but we believe that issues that created considerable concern earlier can now be managed. These issues are set out below.

THE HOUSING FIGURE – OBJECTIVELY ASSESSED NEED (OAN)

- 1.11. In many ways this is the main plank of the Local Plan and the area where most focus will be. The Plan has been developed on the basis of a 2013/14 Strategic Housing Market Area Assessment (SHMAA) which required the district to plan for 240 houses per annum, 3,600 over the Plan period. A new SHMAA was commissioned earlier this year and the early draft was indicating similar figures apart from a significantly higher figure based on Job growth modelling.
- 1.12. At this time we were also aware that the Government had stated that they would bring forward a new approach to standardise the approach to assessing housing requirements. The new way was expected to be based around the Local Plan Experts Group (LPEG) report which suggested the affordability of housing was an important consideration and the Job's link was tenuous and should not be given weight in the calculation.
- 1.13. Not until September 14th did we see the details of the Governments consultation which had been promised for a long time. Logically, it works from the demographic need and inflates the requirement based on the affordability of housing in the area. Logically this means that if job growth occurs and increases in-migration, pushing up house prices relative to income, future housing requirements would be lifted.
- 1.14. The situation now is that the OAN in the SHMAA is running at 272, whilst the Government's promoted approach gives us a figure of 244. Guidance indicates that it is likely that the Governments approach will need to be followed for the Local Plan submission, although a higher figure can be used if the council wishes.
- 1.15. Our recommendation is that we build into the Plan a degree of headroom above both of these figures (an additional 800-900 units) which gives the plan flexibility and the ability to encourage affordable housing delivery and economic growth. This would mean that the SHMAA requirement or any reasonable adjustment to the Government approach, could also be achieved by the allocations in the Plan, thus future proofing it against change.

STUDIES

- 1.16. The main studies and work areas currently underway which will have the most significant impact on the Plan are:
- a) Whole Plan Viability Study – currently underway and a Draft expected mid October. For the Plan to be found sound the Council must be able to demonstrate that the plan is viable and deliverable. The Study is being done jointly with CBC & NEDDC. Key inputs to this work are the overall level of housing need and requirement for affordable housing, which are dependent upon the outputs of the SHMAA update. Once received it will take some time to amalgamate this work with the findings of the SHMAA and the Infrastructure study.
 - b) Infrastructure Study – Looking at the physical, social and environmental infrastructure requirements of a growing district, from road and utility improvements to education and health issues.
 - c) Green Belt – significant work has been done on a Green Belt review and looking at the basis for Green Belt release in relation to Clowne Garden Village. This work is starting to reach conclusions which will influence the plan.
 - d) Regeneration Framework. New work streams and activity has emerged from issues related to this, the Retail study and the High Street Working group. We are looking at several emerging policy areas to address issues in Bolsover, Shirebrook and South Normanton Town centres.
- 1.17. Because of all of these uncertainties, the work and the need for additional work to the evidence base, it was not possible to meet the scheduled milestone in the adopted timetable for Publication in June/July 2017.

Implications & Recommendations

- 1.18. As indicated above all these uncertainties caused problems in assembling the necessary evidence base to underpin the Local Plan and enable it to progress to the publication stage in line with the adopted timetable. Officers have entered into dialogue with DCLG to better understand the likely timescale for publication of updated guidance, whether there are likely to be transitional arrangements in place for those Councils in more advanced stages of Plan preparation; and to seek advice on the best way forward for the Council.
- 1.19. The extent of delay to the timetable is largely a matter of judgement and the level of risk the Council is willing to take in respect of anticipating the outcome of changes to national planning guidance and allowing sufficient time for soundness checks by a third party.
- 1.20. Following the July report, the approach taken was to try to resolve all current outstanding issues, mitigate risks and finalise the plan as quickly as possible and potentially in the absence of final national planning guidance.
- 1.21. Further delays to essential guidance on housing requirements from the government and difficulties with the SHMAA report meant that we could not proceed with the Plan

for a November consultation as we had hoped, in a manner where we could reasonably mitigate the risks.

- 1.22. It is now considered that we can move the Plan forward. However, there are still some substantial risks that we should be aware of:
- The final version of the new way to evaluate housing requirements is expected out early in the New Year
 - The Government have suggested that a new National Planning Policy Framework (NPPF) will be brought out next Spring.

- 1.23. However, change seems to be with us at all times recently, and it is considered that we cannot delay indefinitely because of these issues. We believe that a degree of over provision of housing sites within the plan will future proof us against changes in the approach to housing numbers, and the changes to the NPPF are generally well sign posted in other recent government releases such as the White Paper and the recent consultation.

- 1.24. As it was not possible to finalise the Plan for a November consultation, and as consultations over Christmas can be problematic, it is suggested that we seek to aim for a fresh start to the consultation in the New Year, based on the following timetable:

10 th Jan 2018	Publication Draft Local Plan to Local Plan Steering Group
7 th February 2018	Agree Publication Draft Local Plan at Planning Committee
Feb – April 2018	Consultation Period
April –May 2018	Consider responses
June 2018	Submit Local Plan for Examination
November 2018	Adopt

* Subject to Planning Inspectorate time tabling

Next Steps

- 1.25. In the light of the above the following next steps are recommended:

- Update the Local Plan timetable in light of DCLG's advice and additional work programming.
- Publicise a 'live' local plan update online, clarifying draft time lines ahead of the adoption of a new LDS based on the dates agreed here.

2. Conclusions and Reasons for Recommendation

- 2.1 The purpose of the report is to update Members on issues in relation to the Local Plan timetable, agree that amendments to the 2014 LDS are required, and agree a timescale for that work to take place.

3 Implications

Finance and Risk Implications

- 3.1. None. This is part of the existing work plan and is budgeted for.

Legal Implications including Data Protection

3.2 None.

Human Resources Implications

3.3 None.

4 Recommendations

- 4.1 That the Local Plan Steering Group agree:
- i. That the Web site is updated with the new LDS as amended by the dates in this report

5 Document Information

Appendix No	Title
None	Report on Local Plan Timetable
Background Papers	
None	
Report Author	Contact Number
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Report Reference –