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| Title of Report: | West Berkshire Housing Site Allocations Development Plan Document (DPD): Housing in the Countryside - Preferred Options for Consultation |
| Report to be considered by: | Council |
| Date of Meeting: | 18 September 2014 |
| Forward Plan Ref: | C2881 |

Purpose of Report:

To consider the Development in the Countryside policies which form part of the preferred options West Berkshire Housing Site Allocations DPD.

Recommended Action:

That Council resolve that:

1. The Housing in the Countryside policies that form part of the preferred options version of the West Berkshire Housing Site Allocations DPD are approved for a 6 week period of public consultation.
2. Delegated authority is given to the Head of Planning and Countryside to agree any minor typographical and presentational changes to this part of the preferred options version of the DPD and supporting documentation before publication.

Reason for decision to be taken:

The production of the DPD will ensure an up to date planning framework for the District in terms of site allocations and updated policies.

Other options considered:

None considered

Key background documentation:

- Planning and Compulsory Purchase Act 2004
- Town and Country Planning (Local Government) (England) Regulations 2012
- West Berkshire Core Strategy 2006-2026
- Local Development Scheme May 2014

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- CSP1 – Caring for and protecting the vulnerable**
- CSP2 – Promoting a vibrant district**
- CSP4 – Protecting the environment**

The proposals will also help achieve the following Council Strategy principles:

- CSP5 - Putting people first**
- CSP7 - Empowering people and communities**
- CSP8 - Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy priorities and principles by:
Producing planning policy documents for the District to proactively guide development will help the Council in doing what's important well.

| Portfolio Member Details | |
|---|---|
| Name & Telephone No.: | Councillor Hilary Cole - Tel (01635) 248542 |
| E-mail Address: | hcole@westberks.gov.uk |
| Date Portfolio Member agreed report: | 25 July 2014 |

| Contact Officer Details | |
|-------------------------|-----------------------------|
| Name: | Liz Alexander |
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Implications

- Policy:** The West Berkshire Core Strategy sets out the strategic direction for the Council's planning policy, setting out the broad strategy for development in West Berkshire to 2026. The Housing Site Allocations DPD implements the spatial framework of the Core Strategy to allocate non-strategic housing sites to contribute towards meeting the District's longer term objectively assessed housing need. It is also an opportunity to update some parts of the planning policies that provide the starting point for development management decisions.
- Financial:** The Council is committed to producing planning policy documents in accordance with the stated timescale set out within the adopted Local Development Scheme. Budgetary provision has been made to carry out the relevant work.
- Personnel:** N/A
- Legal/Procurement:** The Planning and Compulsory Purchase Act 2004 (as amended) requires the local planning authority to keep under review the matters which may be expected to affect the development of their area or the planning of its development. The West Berkshire Housing Site Allocations DPD seeks to take forward a commitment to fulfil this obligation.
- Property:** N/A
- Risk Management:** The risks to development management are much higher without an up to date development plan in place (planning by appeal).

| Is this item relevant to equality? | Please tick relevant boxes | Yes | No |
|--|----------------------------|-------------------------------------|----|
| Does the policy affect service users, employees or the wider community and: | | | |
| • Is it likely to affect people with particular protected characteristics differently? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| • Is it a major policy, significantly affecting how functions are delivered? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| • Will the policy have a significant impact on how other organisations operate in terms of equality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| • Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| • Does the policy relate to an area with known inequalities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality) | | | |
| Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia | <input type="checkbox"/> | | |
| Not relevant to equality | <input type="checkbox"/> | | |

| Is this item subject to call-in? | Yes: <input type="checkbox"/> | No: <input checked="" type="checkbox"/> |
|---|-------------------------------------|---|
| If not subject to call-in please put a cross in the appropriate box: | | |
| The item is due to be referred to Council for final approval | <input checked="" type="checkbox"/> | |
| Delays in implementation could have serious financial implications for the Council | <input type="checkbox"/> | |
| Delays in implementation could compromise the Council's position | <input type="checkbox"/> | |
| Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months | <input type="checkbox"/> | |
| Item is Urgent Key Decision | <input type="checkbox"/> | |
| Report is to note only | <input type="checkbox"/> | |

Executive Summary

1. Introduction

- 1.1 The Council is preparing a Housing Site Allocations Development Plan Document (DPD) to allocate non-strategic housing sites across the District and to allocate sites for Gypsies and Travellers. A preferred options version was published for consultation between 25 July and 12 September 2014. Some policies are also being updated as part of this process; those on residential parking standards and an amended policy to guide the future development of Sandlesford Park were included in the consultation above.
- 1.2 Policies to guide development in the countryside have now been drafted and are attached as Appendix A. These will be subject to a 6 week period of consultation before coming back to Members as part of the proposed submission version of the Housing Site Allocations DPD.

2. Key Issues

- 2.1 All the policies relate to housing and the potential to convert or redevelop existing buildings to housing.
- 2.2 The significance of the AONB designation to the District is emphasised in the policies.
- 2.3 The policies have been written by an independent Consultant in consultation with Council officers and Members.
- 2.4 Cumulative impact and proportionality are important elements in determining applications - these are also emphasised in the policies.

3. Equalities Impact Assessment Outcomes

- 3.1 This part of the DPD is not relevant to equality.

4. Next Steps

- 4.1 If Council considers that the preferred options policies on development in the countryside should be published for consultation, this will take place for a 6 week period from 19 September to 31 October 2014.
- 4.2 Following the consultation, officers will prepare a publication version of the Housing Site Allocations DPD for Council in December 2014, which takes account of the comments received. The development in the countryside policies will be included within this.

Executive Report

1. Introduction

- 1.1 The Housing Site Allocations Development Plan Document (DPD) was published in a preferred options form for consultation between 25 July and 12 September 2014 following approval by full Council on 22 July 2014.
- 1.2 The timeline for the preparation of the HSA DPD as set out in the revised Local Development Scheme (LDS) is:
- (a) Consulting on scope of Sustainability Appraisal - September 2013 to October 2013
 - (b) Public participation in the preparation of the DPD - September 2013 to December 2014
 - (c) Publication of Proposed Submission Documents - December 2014
 - (d) Submission to Secretary of State - April 2015
 - (e) Start of Independent Examination - June 2015
 - (f) Adoption - December 2015
- 1.3 Full information about the approach to the DPD, as well as details about the Regulation 18 consultation, duty to cooperate and ongoing consultation work is set out as background papers to the full Council meeting of 22 July 2014. Only those papers directly relevant to the Housing in the Countryside part of the DPD are attached as appendices to this report; however, all information is available from www.westberks.gov.uk/hsapreferreoptions or on request.

2. Background to the Review of the Housing in the Countryside Policies

- 2.1 The Core Strategy is a strategic document that provides an overall framework for the more detailed policy and site specific proposals to be contained in other parts of the Local Plan. Some of the policies in the West Berkshire District Local Plan 1991-2006 have been saved and remain in force as part of the development plan.
- 2.2 The NPPF is clear, at para 215, that 'due weight' should be given to relevant policies in existing plans according to their degree of consistency with the framework. The closer the policies in the plan to the policies of the framework, the greater the weight to be given in planning decisions. The saved policies of the District Local Plan have all been assessed for consistency against the NPPF. Some of the policies were assessed as going further than the NPPF because of local circumstances, but matching the overall intent of national policy. There is therefore not a conflict with policy which necessitates urgent updating, and Inspectors are still treating the policies as having due weight.
- 2.3 However, there was some concern from Members that some of the saved policies should be reviewed and updated speedily in order to provide an up to date policy framework to guide planning applications. This relates particularly to those which guide new housing in the countryside.

2.4 A paper to guide development in the countryside was presented to Planning Policy Task Group in June and was then revised for the July meeting of Planning Policy Task group. The proposed new policies address largely the same issues as those set out in the saved policies but update these to reflect updated national policy and specific issues experienced through the planning application process in West Berkshire. This work has been prepared by an external planning consultant working on a short term contract. Further background information is set out in Appendix A.

3. Key Issues

- 3.1 All of the policies relate to new housing in the countryside as well as the potential to extend existing housing and to convert or redevelop existing buildings to housing. There have been changes to permitted development rights inside and outside the AONB which have removed some of the protection that was previously available.
- 3.2 The North Wessex Downs AONB covers 74% of West Berkshire. The importance of this designation to local distinctiveness is fully recognised in the adopted Core Strategy. The policies attached as Appendix A emphasise the important landscape considerations and the fact that the different elements of landscape need to be considered in policy decisions.
- 3.3 Cumulative impact is a key issue when considering applications, particularly in the AONB, as incremental changes when viewed collectively can significantly change the character of a landscape. Appendix A includes guidance on this.
- 3.4 Proportionality is another issue which is important when assessing extensions and new build in the countryside. As this was raised by an inspector when refusing a recent appeal (The Old Post Office, Hampstead Marshall), some guidance on this element is included in the new policies.
- 3.5 The policies have been prepared by an independent consultant, working on a short term contract with officers and Members to draft the policies.

4. Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA)

- 4.1 The Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) and a Strategic Environmental Assessment (SEA) to be carried out for all DPDs. Both of these appraisals can be carried out in one appraisal process. In order to avoid any confusion, all references to the SA will refer to both the SA and the SEA.
- 4.2 The objective of the SA is to promote sustainable development through the integration of social, environmental and economic considerations in the preparation of new or revised DPDs. The SA focuses on the significant sustainability effects of the DPD and considers alternatives that take into account the social, environmental and economic objectives and the geographical scope of the documents.
- 4.3 The SA / SEA has been carried out for each policy option. The SA Framework was included in the SA/SEA Scoping Report, which was consulted upon with the three statutory bodies (Environment Agency, Natural England and English Heritage) in September 2013.

4.4 As the HSA DPD is set within the framework set out by the adopted Core Strategy, the SA/SEA is an update to that prepared alongside the Core Strategy. The SA/SEA for the Housing in the Countryside policies is attached electronically as appendix B.

5. Next Steps

5.1 If Council considers that the draft Housing in the Countryside policies that have been prepared as part of the draft Housing Site Allocations Development Plan Document should be consulted upon, then the next steps will be for officers to invite comments on the draft document through an informal 6 week period of consultation.

5.2 It is proposed that the consultation takes place between 19 September and 31 October 2014 and is carried out in accordance with the Council's emerging Statement of Community Involvement.

5.3 Following the consultation, officers will prepare a publication version of the Housing Site Allocations DPD for Council in December 2014, which takes account of the comments received during both consultation periods.

5.4 Once these policies have been examined and adopted they will form the basis for determining planning applications and will supercede a number of the current saved policies.

Appendices

Appendix A - Housing in the Countryside Policies

Appendix B – SA/SEA of the Housing in the Countryside Policies **(to be circulated electronically)**.

Consultees

Local Stakeholders: N/a

Officers Consulted: Gary Rayner, David Pearson, Derek Carnegie, Bryan Lyttle, Paula Amorelli, Sarah Conlon.

Trade Union: N/a