
Proposed Main Modifications to the Housing Site Allocations Development Plan Document (HSA DPD)

Committee considering report:	Council
Date of Committee:	08 December 2016
Portfolio Member:	Councillor Hilary Cole
Date Portfolio Member agreed report:	20 October 2016
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Forward Plan Ref:	C3188

1. Purpose of the Report

- 1.1 To consider the Schedule of Proposed Main Modifications to the Housing Site Allocations Development Plan Document (HSA DPD), the updated Sustainability Appraisal Report and updated Habitats Regulations Assessment and to approve these for publication for a 7 week period of public consultation. This is a regulatory stage of the DPD process and requires Council resolution.

2. Recommendations

- 2.1 That Council resolves that:

- (1) The Schedule of Proposed Main Modifications to the Housing Site Allocations Development Plan Document is published in accordance with Section 20 (7c) of the Planning and Compulsory Purchase Act 2004 (as amended) for a 7 week period of consultation
- (2) The accompanying updated SA/SEA Report and updated Habitats Regulations Assessment are published in accordance with Section 20 (7c) of the Planning and Compulsory Purchase Act 2004 (as amended) for a 7 week period of consultation where they relate to the Proposed Main Modifications
- (3) Delegated authority is given to the Head of Planning and Countryside in consultation with the Portfolio member for Planning and Housing, to agree any non-material supporting documentation and any other non-material refinements to the wording of the DPD before consultation.

3. Implications

- 3.1 **Financial:** The Council is committed to producing planning policy documents within the stated timescale set out in the adopted Local Development Scheme. Budgetary provision has been made to carry out the relevant work.

- 3.2 **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.
- 3.3 **Personnel:** N/A
- 3.4 **Legal:** 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.
- 3.5 **Risk Management:** The risks to development management are much higher without an up to date development plan in place. Having a development plan in place will boost the Council's 5 year housing land supply position bringing forward development in a coordinated and managed way and reducing the risk of planning by appeal.
- 3.6 **Property:** N/A
- 3.7 **Other:** N/A

4. Other options considered

- 4.1 The preparation of the DPD is an iterative process and involves exploring different options to accommodate development, within the framework of the adopted Core Strategy. The process began with a 'call for sites' following which sites were included within the Strategic Housing Land Availability Assessment (SHLAA) and were assessed according to their potential for future development. The sites assessed as 'potentially developable' then had their suitability for development explored further through the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) and site selection process. Consultation on the preferred options version of the DPD took place in the summer of 2014 as well as further technical work which enabled the sites to be assessed further. The proposed submission version of the DPD was published for consultation in November/December 2015 and was accompanied by a number of supporting and evidence based documents which informed its preparation. Following the consultation all the responses were submitted to the Secretary of State.

5. Executive Summary

- 5.1 The Housing Site Allocations Development Plan Document (HSA DPD) is currently being independently examined by a Planning Inspector appointed by the Secretary of State. The Inspector's role is to assess whether the DPD has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements and whether it is sound (positively prepared, justified, effective and consistent with national policy). If the Inspector concludes that the Housing Site Allocations DPD is sound and meets the necessary tests, it can then be adopted by Council and will form part of the Local Plan for the District.
- 5.2 The Inspector is examining the DPD as it was submitted to the Secretary of State on 6th April 2016. Examination hearing sessions were held in June and July 2016 to discuss a number of issues upon which the Inspector required clarification. The purpose of the discussions at the hearings was for the Inspector, the Council and participants to gain the fullest possible understanding of any Main Modifications that may be required to make the DPD sound and legally compliant. The Council was then invited by the Inspector to make a formal request under section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended) for him to recommend Main Modifications to the DPD. The Council made this formal request on 2nd September 2016.
- 5.3 During the hearing sessions, the Inspector asked the Council to undertake additional work on a number of issues. This work was completed in August 2016 and was submitted to the Inspector at the beginning of September. The Inspector then sought additional comments on this work from those participants who attended the relevant hearing sessions.
- 5.4 Based on the outcomes of the hearing sessions and the additional work undertaken, the Inspector issued his preliminary findings on 17th October 2016. The findings are without prejudice to his final report but set out the Main Modifications he considers are required in order to make the DPD sound.
- 5.5 In many cases it is the Council that has proposed the Main Modifications but in some cases the Inspector has amended or added to them in order to make the DPD capable of adoption. These Main Modifications usually consist of redrafted text, the omission of a policy or section of text (or the inclusion of a new one). As far as the housing sites are concerned, other than the Main Modifications already put forward by the Council, the Inspector has not proposed the inclusion of any additional housing sites, nor has he identified any sites which should be removed from the DPD.
- 5.6 It is important that any proposed Main Modifications do not undermine, or possibly undermine, the sustainability process that has informed the preparation of the DPD. The Council has therefore updated the SA/SEA Report (Appendix C ii) and produced an addendum to the Habitats Regulations Assessment (Appendix C iii), both of which accompany the DPD.

6. Schedule of Proposed Main Modifications

- 6.1 The proposed Main Modifications are set out as a schedule in Appendix Ci with either the conventional form of strikethrough for deletions and underlining for additions of text. The main changes are summarised as follows:

- To set out the role of the DPD, its relationship to the Core Strategy and its time frame by clarifying the DPD is a daughter document to the Core Strategy, that it covers the period 2006-2026 and that it does not reassess the housing requirement of 'at least' 10,500 new additional dwellings per annum set out in the Core Strategy. The Strategic Housing Market Assessment, and what the future requirement should be, will be considered as part of the preparation of the new Local Plan. This will allocate additional development and will look longer term to 2036, as well as dealing with other policy issues.
- To clarify the Council's approach to development within the AONB by including the windfall allowance in the first five years of the plan period only. Core Strategy Policy ADPP5 says that provision will be made for the delivery of "up to 2,000" dwellings over the plan period. As at March 2016, 1,230 homes had already been completed in the spatial area and 200 units had planning permission. The HSA DPD allocates approximately a further 385 dwellings in the AONB. If the DPD is adopted, specific provision will therefore have been made for the delivery of 1,815 units in accordance with bullet point 1 of ADPP5. A windfall allowance has also been assumed of 251 between 2016 and 2026. If this is correct, this would then result in the completion of more than 2,000 dwellings in the AONB. Should this windfall allowance be shown only for the first five years, as in the other spatial areas, the total anticipated completions for the AONB to 2026 would be slightly over 1,900 units. As a new Local Plan is due to be adopted in 2019, the spatial strategy would by that time have been reviewed anyway.
- To clarify that the DPD has only reviewed the settlement boundaries for those settlements within the settlement hierarchy set out in the Core Strategy. All settlement boundaries will be reviewed through the preparation of the new Local Plan.
- To clarify that the Council will support communities wishing to develop a Neighbourhood Plan. Any Neighbourhood Plans coming forward following the adoption of this DPD will help to boost the supply of housing across the District, adding additional flexibility. Any future allocations and housing requirements for Neighbourhood Plans to deliver will be considered as part of the new Local Plan.
- To make specific changes to policies dealing with individual housing sites, including the clarification of developable areas and the development potential of some sites. The most significant of these are:
 - (a) the removal of Policy HSA14 North Lakeside, Theale and redrawing the settlement boundary of Theale around the whole of the Lakeside site. The southern portion of the site already has an extant planning permission for residential development and inclusion of the whole site would help to enable a comprehensive scheme which takes account of the nature and character of the area.
 - (b) to increase the developable area of site ref:THE009 land between the A340 and The Green, Theale (Policy HSA 15) from 2.3 hectares to 3.4 hectares and increase the development potential of the site from approximately 70 dwellings to approximately 100 dwellings.

- (c) to increase the developable area of site ref:EUA025 land adjacent to Junction 12 of M4, Bath Road, Calcot (Policy HSA 12) from 1.7 hectares to approximately 4 hectares and increase the development potential of the site from approximately 100 dwellings to between 150 and 200 dwellings.
 - (d) the removal of Policy TS3 relating to the Clappers Farm Area of Search, Beech Hill (site ref:GTTS6) for Gypsies and Travellers. The evidence is now not sufficient to support the allocation, whose pitches were not profiled to be needed until later in the plan period, after 2021.
- To make specific changes to some settlement boundaries, the most significant of which are:
 - (e) to delete the proposed inclusion of Green Lane within the settlement boundary of Chieveley
 - (f) to include the properties at Hermitage Green within the settlement boundary of Hermitage
- To clarify that there is a presumption in favour of development and redevelopment within the settlement boundaries of Burghfield, Curridge, Donnington, Eddington, Upper Bucklebury and Wickham. These settlements had been erroneously omitted from Policy C1 at the submission stage.
- To clarify Policy C1 that the circumstances where new dwellings in the countryside can be permitted will include limited infill in settlements in the countryside with no defined boundary.
- To clarify that Policy C5 does not apply to the existing educational and institutional establishments within the rural area of West Berkshire. The policy provisions for new development associated with these establishments are set out in saved policy ENV.27 of the West Berkshire District Local Plan.
- To clarify Policy P1, parking standards in relation to new development, with regard to visitor spaces for flats and reduce the requirement for two bed flats in Zone 1 to one space per dwelling in line with two bed houses in this zone.

7. Next steps

7.1 Any proposed Main Modifications to the DPD require consultation in accordance with Section 20 (7c) of the Planning and Compulsory Purchase Act 2004 (as amended). If Council approves the Schedule of Proposed Main Modifications consultation will take place for a 7 week period from 12 December 2016 to 30 January 2017. Copies of the Schedule will be made available for inspection on the Council's website together with:

- a Schedule of Proposed Main Modifications to the DPD setting out the changes being proposed by the Council in order to address issues of "soundness" identified by the Planning Inspector during the examination process;
- an updated Sustainability Appraisal and an updated Habitats Regulations Assessment.

- 7.2 The Council will also publish a Schedule of Proposed Minor Changes comprising modifications of a minor nature to update the DPD, to correct errors and to provide clarification in interpreting the policies of the DPD. This is not subject to public consultation and so will not be considered by the Inspector, but will be published for information.
- 7.3 Following the consultation the Council will be able to make a brief written response to any submissions received. All submissions and the Council's response will then be sent to the Inspector so that he can prepare his final report. If the Inspector concludes that the HSA DPD is sound and meets the necessary tests, it can then be adopted by the Council and form part of the Local Plan for the District.

8. Conclusion

- 8.1 As set out earlier, in many cases it is the Council that has proposed the Main Modifications but in some cases the Inspector has amended or added to them in order to make the DPD capable of adoption. None of the proposed Main Modifications are considered to be significant or would cause concern for the Authority. All relate to issues that were discussed at the hearing sessions.
- 8.2 If the Schedule of Proposed Main Modifications is approved by Council a seven week period of consultation will be held between 12 December 2016 and 30 January 2017 in accordance with the Council's adopted Statement of Community Involvement. As this is a regulatory period of consultation, views will be sought on the 'soundness' of the proposed Main Modifications.

9. Appendices

- 9.1 Appendix A - Supporting Information
- 9.2 Appendix B – Equalities Impact Assessment of the Housing Site Allocations DPD (including Proposed Main Modifications)
- 9.3 Appendix C –
- (i) Schedule of Proposed Main Modifications to the Housing Site Allocations DPD
 - (ii) Updated SA/SEA Report
 - (iii) Addendum to the Habitats Regulations Assessment Screening Report