

EAST HAMPSHIRE DISTRICT COUNCIL

CABINET

17 January 2019

The East Hampshire District Council Local Plan Review 2017 – 2036

Report by Planning Policy

Portfolio: Planning – Cllr Angela Glass

1.0 Purpose of Report

- 1.1 There are a number of statutory processes that the draft Local Plan must undergo in order to progress toward adoption. The publication of the draft Local Plan for public consultation is one of these processes.
- 1.2 The purpose of this report is to seek approval to publish the draft Local Plan document (see Appendix B) for consultation for a period of 6 weeks commencing 5 February 2019, and to allow for any minor amendments or typographical changes to be made following this Council meeting to enable the Local Plan process to progress.

2.0 Recommendation

- 2.1 Members are recommended to:
- a) approve and recommend to full Council on the 17 January 2019, the draft Local Plan 2017-2036 for publication for the purposes of public consultation.
 - b) approve and recommend to full Council on the 17 January 2019, a 6-week period of public consultation on the draft Local Plan from 5 February 2019.

Reason for Recommendation

- a) To enable the draft Local Plan: strategy and sites document to be published for public consultation.
- b) To undertake public consultation in line with the Town and Country Planning (Local Planning) (England) Regulations 2012, the Localism Act 2011, the Planning and Compulsory Purchase Act 2004, the National Planning Policy Framework 2018, the National Planning Practice Guidance, and the adopted Statement of Community Involvement 2018.

3.0 Executive Summary

- 3.1 The draft Local Plan Review (“the draft Local Plan”) sets out the spatial development strategy to guide growth and development across the Local Planning Authority area (“LPA area”) over the plan period up to 2036. The spatial strategy sets out the level and

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location of development based on an evaluation of our objectively assessed need identified by the Evidence Base. The next stage is to have a public consultation.

- 3.2 We will review all comments and representations made during the consultation process to ensure that the Local Plan that we submit to the Secretary of State is sound.
- 3.3 The draft Local Plan was considered by DPAHP on 17 December 2018 and has been updated to reflect the comments and feedback received from members of the Panel.
- 3.4 The draft Local Plan is structured around four themes; communities, economy, natural and built environment and infrastructure.

4.0 Additional Budgetary Implications

- 4.1 None

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan

Background

- 5.1 Our current Local Plan is made up of three documents, the Joint Core Strategy with the South Downs National Park Authority 2014, the Housing and Employment Allocations 2016 and the saved policies from the 2006 Second Review.
- 5.2 Following changes in planning legislation that came into force in January 2018 it is now a requirement to review your Local Plan every five years.
- 5.3 In anticipation of this change we launched the Local Plan Review in January 2018 with an ambitious timetable to progress it to adoption. Since the launch, we have seen the revised National Planning Policy Framework (NPPF) published with the updated National Planning Policy Guidance (NPPG) alongside it. The key implication is the introduction of a standard way to calculate housing numbers and this number being your minimum to plan for. The Local Plan Review has been prepared in conformity with national policy and guidance and uses the standard way to calculate housing numbers.
- 5.4 Following changes in guidance and legislation, we need to maintain an up to date Local Plan to ensure that we are able to plan properly for the expected levels of growth over the plan period up to 2036. An up to date Local Plan will also provide certainty for our communities, business and developers. As our current planning policies continue to age they will carry less weight in determining planning applications which is another reason why we need an up to date Local Plan.
- 5.5 Historically our Local Plans have covered the entire district with the Joint Core Strategy being prepared with the South Downs National Park Authority ("SDNPA"). The SDNPA are preparing their own local plan to cover the entire national park including those parts that lie within East Hampshire. Following adoption, it will supersede the Joint Core Strategy and will therefore no longer apply in those parts of East Hampshire District that lie within the South Downs National Park.

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- 5.6 It is important to note that the East Hampshire Local Plan Review therefore only covers those parts of the district that lie outside of the South Downs National Park and which are the responsibility of East Hampshire as Local Planning Authority.
- 5.7 We have carried out a significant amount of work to ensure that we have a relevant and up to date Evidence Base.
- 5.8 The Local Plan will cover a period from 2017 up to 2036. We are approaching the production of our Local Plan as a single all-encompassing Local plan which contains the strategy and sites to guide how the LPA area will change and develop over the plan period up to 2036 as well as detailed development management policies.
- 5.9 The draft Local Plan sets out the spatial development strategy including the level and location of development. It also allocates sites and locations for growth as well as offering high level and detailed guidance on such important matters as economic development and jobs, provision of housing for all, and protection and enhancement of the environment over the plan period.
- 5.10 The draft policies and plan have been prepared in consultation with other council teams including housing, development management, heritage, communities, economic development and communications.
- 5.11 The Local Plan Working Group has reviewed, debated and commented on all draft policies and has assisted in their development to this stage.

Draft Local Plan

- 5.12 The Local Plan is broken down into 5 chapters with a glossary and other appendices at the back. Chapter 1, the introduction, sets out the context and purpose of the Local Plan. Chapter 2 lays out the overarching long-term spatial vision and accompanying strategic objectives. Chapter 3 sets out the spatial strategy determining the amount and location of new development, and the key diagram. Chapter 4 sets out how places will change during the plan period and includes the proposed site allocations. Chapter 5 is broken down into four sections; homes and communities, economy, natural and built environment and infrastructure. Each theme has its own section which is structured so that it is clear which policies are strategic in nature and which policies are detailed development management policies. A guide to the strategic policies and the detailed policies and how to use and interpret them is provided in the Local Plan. The reason for this structure is in part to address the requirements of the NPPF but more importantly to make it clear to Neighbourhood Planning Groups which policies are strategic as these are what a Neighbourhood Plan must be in conformity with.
- 5.13 The draft Plan is written and structured in a way that makes it more user friendly, particularly for the non-planning professional. Each policy is organised as follows:
- Strategic objectives and related Local Plan strategic policies;
 - Why we need this policy;
 - The policy itself;
 - Implementing the Policy;
 - Key supporting documents (where applicable);
 - What existing policies does this replace;
 - Monitoring the policy

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- 5.14 A table is provided within an appendix 6 to the Local Plan which shows a list of the current planning policies and which policy in the Local Plan Review supersedes it or if it is to be deleted.

Strategy and sites

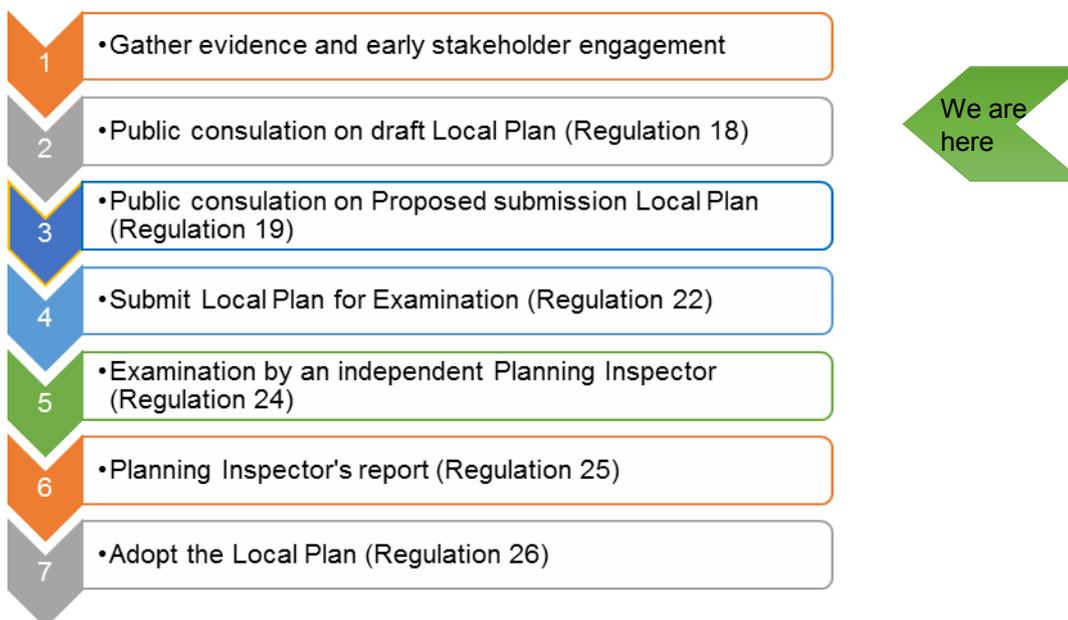
- 5.15 The minimum number of homes required (outside of the SDNP) is 10,456 dwellings between 2017 and 2036. As of 31 March 2018, part of this minimum requirement was already made up of 791 net completions and existing planning permissions totalling 5,947 new homes. Based on the windfall allowance analysis, there is also expected to be an additional 992 dwellings throughout the duration of the plan period that have not specifically been identified in the Local Plan.
- 5.16 Once these existing sources of supply are taken into account, there is a requirement to find a further minimum 2,721 new homes, plus an appropriate buffer, to meet local needs.
- 5.17 The Local Planning Authority's preferred approach to meeting this additional housing need is predominantly through additional growth at Whitehill & Bordon and a new settlement at Northbrook Park, with a range of other sites.
- 5.18 Focussing additional housing growth at Whitehill & Bordon is a continuation of the current spatial strategy of the Joint Core Strategy, consolidating the benefits of regeneration at the former Bordon Garrison by the provision of further housing, accessible greenspace (SANG), and employment facilities. The allocation of sites in/around Whitehill & Bordon could also facilitate further regeneration of the town, on windfall housing sites within the development boundary, by providing sufficient SANG to avoid potentially adverse impacts on the Wealden Heaths Phase 2 SPA. Further intensification of residential development at the proposed town centre would represent a more efficient use of the land in an accessible and well-served location, taking account of the government's national policy to optimise the use of land.
- 5.19 A planned new settlement at Northbrook Park can ensure the timely delivery of new infrastructure to meet the needs of future housing growth, including the provision of new greenspace and links to countryside rights of way, to facilitate healthy lifestyles. Other services and facilities can be provided onsite, including a new primary school, employment and some retail, whilst the proximity of Farnham and Bentley Station enables good access to more significant facilities and services, including bus and rail transport connections.
- 5.20 A range of other sites are included as part of the spatial strategy, to provide for local housing needs across the planning area - including to address affordable housing needs - and to provide opportunities for economic and employment growth in Alton, to build upon its existing strengths. Some additional housing development is planned in the southern parishes, in recognition of the Local Planning Authority's commitment to look for opportunities to maximise development potential in this area, to help meet the outstanding need for housing in the Solent sub-region, balanced with the other requirements and opportunities for development in the northern and north-eastern parts of East Hampshire.

Local Plan process

- 5.21 The diagram below illustrates the Local Plan process and shows that we are about a third of the way through the production of the draft Local Plan. This is the first formal

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opportunity to comment on the recommended strategy for guiding development across the LPA area over the plan period up to 2036.



- 5.22 We are intending to run a six-week consultation process in line with the legal requirements. After this consultation we will review all the comments and representations that are made. We will then produce a Proposed Submission Draft Local Plan. (“the Submission Draft”)
- 5.23 The Submission Draft will also be subject to a consultation process after which all comments submitted are forwarded to the Secretary of State for consideration by the Planning Inspectorate alongside the draft Plan. A Local Plan examination will follow afterwards allowing an opportunity for invited participants to have a final opportunity to comment on the Plan. The Planning Inspectorate will be looking to determine if the Plan is sound. This means that the Plan should be:
- positively prepared – based on a strategy which, as a minimum, seeks to meet our objectively assessed development needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - justified – the plan should provide an appropriate strategy when considered against reasonable alternatives based on proportionate evidence;
 - effective – the plan should be deliverable over the plan period up to 2036 and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies of the Framework.

Topic Papers – explanation of role

- 5.24 We intend to produce a series of topic papers to explain in more detail how we have produced the policies in the draft Local Plan. We will produce interim topic papers on key themes where we feel additional explanation would assist the public consultation. Other topic paper may be produced to support the Local Plan at future stages.

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- 5.25 Topic Papers intend to provide background information and will not have any policies, proposals or site allocations made within them. The interim topic papers will then be updated and amended following consultation to support the next iteration of the Local Plan and finalised in time to accompany the submission of the draft Local Plan to the Secretary of State for examination.

Relationship to the Corporate Strategy and Directorate Business Plan

The production of the draft Local Plan helps to meet the operational priorities identified in the Corporate Plan such as economic growth and, environmental sustainability by safeguarding the environment for future generations as well as meeting the corporate priority of reviewing the Local Plan and delivering a high-quality planning service as set out in the Business Plan 2018/19.

Conclusions

- 5.26 The draft Local Plan sets out the overall development framework for the LPA area to accommodate our objectively assessed level of need for development. We have structured the draft Local Plan around the central themes of the Corporate Plan and shows that we have adopted these themes throughout the whole of the Council's policy and strategy approach.
- 5.27 The draft Local Plan is intended to be fit for public consultation as per the Town and Country Planning (Local Plan) (England) Regulations 2012 and has been produced in conformity with the revised National Planning Policy Framework and the National Planning Practice Guidance. The draft Plan is backed up by a raft of evidence that has supported the development of policy. The Evidence Base will continue to develop until the plan is submitted to the Secretary of State and we will keep it up to date thereafter to ensure that it remains relevant.

6.0 Options considered and reasons for the recommendation

- 6.1 Option 1 – Do nothing. This option would mean that the Council as Planning Authority continues to rely on the adopted development plan consisting of the Local Plan second review saved policies 2006, the Joint Core Strategy 2014 and the Housing and Employment Allocations 2016.
- 6.2 However, such an approach will mean that the Planning Authority's Local Plan does not address recent legislative changes or confirm to up to date national planning policy. As a result the development plan would start to carry less weight in the determination of planning applications and this could lead to speculative development.
- 6.3 Option 2 – Approve the draft Local Plan for public consultation. This option puts the Council as Planning Authority in the strongest position in relation to having an up to date local plan that can be used effectively to determine planning applications, defend speculative development and appeals and positively plan our communities and shape the places people live, work and visit in line with the corporate strategy and business plan.
- 6.4 Approving the draft plan for public consultation keeps the programme on track in order to progress the new Local Plan to an advanced as stage as possible by the summer of

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2019 (when the Joint Core Strategy will be 5 years old and start to carry less weight), this is a Council priority.

7.0 Resources Implications

- 7.1 Financial: Expenditure on Local Plan issues is likely to continue to grow over the next 18 months particularly with regard to the need to pay for the Local Plan examination, costs of which could exceed £100,000. Items such as this are already included in the Local Plan budget for this year and will be included going forward.
- 7.2 Since the launch of the Local Plan Review in January 2018, the Council has committed £564,882 on developing the draft local plan. The budget for 2019/20 must be set at a level to ensure that the draft Local Plan continues to develop in line with the timetable in the Local Development Scheme (See appendix A). Significant costs are expected within the next 18 months, particularly with regard to the need to pay for the Local Plan examination, current indications are that the budget for 2020/21 will need to rise by approximately £100,000 to accommodate an examination and other costs such as a potential judicial review. However, this will be included in the Local Plan budget in the future for the relevant financial year.
- 7.3 Costs for the Local Plan can therefore be met from within existing budgets.
- 7.4 Costs associated with the “do nothing” option are unknown but will be significantly greater due to the cost of defending potential appeals as a result of not having an up to date Local Plan.
- 7.5 Human resource implications: Additional resources may be required to ensure that the consultation strategy is implemented fully and to allow for the responses to the draft Local Plan to be dealt with in a timely manner. The Planning Policy Team will be fully absorbed in preparing the Local Plan until post examination which is anticipated in the summer of 2020.

8.0 Legal Implications

- 8.1 The draft Local Plan will be eventually examined for soundness after submission to the Secretary of State. There are various potential risks to the plan being found sound, and it may be vulnerable to a legal challenge by way of judicial review on grounds such as procedural defect or flaw, or failure to take into account any relevant material consideration.
- 8.2 In either case, it is essential that we can show that we have observed the procedural steps and requirements set out in the relevant regulations. These include not only the Town and Country Planning (Local Planning) (England) Regulations 2012, but also the Environmental Assessment of Plans and Programme Regulations 2004 and the Conservation of Habitats and Species Regulations 2010 (as amended). During its preparation, the draft Local Plan has been the subject of Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programme Regulations 2004, an Appropriate Assessment in accordance with the Conservation of Habitats and Species Regulations 2010 and an Integrated Impact Assessment (IIA) under the Equality Act 2010. The IIA has concluded that the policies

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contained within the draft Local Plan have positive impacts in respect of community safety, equalities, safeguarding children and vulnerable adults, the economy, rural communities, and sustainability. No negative impacts have been identified at this stage. This assessment will be reviewed and amended following the public consultation.

- 8.3 We will need to show that we have observed the revised NPPF 2018 and the updated NPPG, as well as creating and maintaining an up to date and proportionate evidence base to inform our policy decisions. The evidence base includes the documents that show objectively assessed need within the LPA area for all land uses but specifically housing (including for Gypsy and Travellers and Travelling Showpeople), employment and retail. The NPPF requires us to boost significantly the supply of housing. Without a strategy to meet these identified needs in full, that the Planning Inspector considers satisfactory, it is unlikely that the draft Local Plan would be found sound.
- 8.4 Until we have adopted an up to date Local Plan, Saved Policies from the 2006 Second Review Local Plan will carry diminishing weight, as it will be increasingly out of date, and from June 2019 the Joint Core Strategy will begin to carry less weight. There is a risk that we would lose control over planning in the LPA area and that applications would be determined by appeal. Where policies are considered to be out of date, Inspectors would apply the presumption in favour of sustainable development set out in NPPF that will supersede local concerns, unless there are significant adverse impacts as provided in the NPPF.

Plan making under the Planning and Compulsory Purchase Act 2004 (as amended) is an iterative process. There are alternating phases for technical and democratic input, and the Plan document will inevitably be re-visited a number of times to take into account the representations made, before it can be finalised, examined and adopted for use in managing development within the LPA area in the long term.

9.0 Risks

- 9.1 A full risk register was completed in January 2018 when the Local Plan Review project was launched. This has been continuously reviewed throughout the process.
- 9.2 The key risk to the Council is a delay in the project programme, which is set out in the Local Development Scheme. The Local Plan Review needs to be as advanced as possible by June 2019 when the Joint Core Strategy is five years old. This is to ensure that the emerging Local Plan Review can start to carry weight in the determination of planning applications as the existing Joint Core Strategy begins to carry less weight. Any delay in the process will lead to the Council having an existing Local Plan which does not carry full weight in the determination of planning applications. This could lead to speculative development and development that does not meet the aspirations of our communities. Therefore, approving the draft Local Plan Review for consultation in the New Year is an important first step in keeping the project on track.

10.0 Consultation

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10.1 The draft Local Plan will go through a series of public consultations prior to submission of the Local Plan for examination. Workshops with Town and Parish Councils and Neighbourhood Planning Groups have been held to help inform the draft Local plan.

11.0 Communications

11.1 Communications is a key part of the formation of the Local Plan. It is vital that residents and businesses are given a clear idea of how the plan will affect the future development in the district and how they can influence it.

11.2 A communications plan has been drawn up in close co-operation between the Planning Policy Team and the Communications team. The plan focuses on three key points:

1. The government's drive to increase the supply of housing
2. The areas the site will cover – North East, A31 corridor and the southern parishes (parts of East Hampshire outside the South Downs National Park)
3. The quality of the responses from the public, particularly from young people

11.3 Communications have already begun to carry these messages and more and the campaign will intensify in the run-up to the expected consultation period in February. In order to reach as many people in the district we will employ a variety of communications channels.

11.4 Part of this Communication strategy is to hold a workshop prior to the start of the consultation for Town and Parish Councils and Neighbourhood Planning Groups on how they can effectively engage in the Local Plan process as well as a series of exhibitions and workshops across the LPA area during the consultation period to allow the community to engage fully in the Local Plan process.

Appendices:

Appendix A: Local Development Scheme

Appendix B: draft Local Plan

Appendix C: draft policies map

Background papers:

Integrated Impact Assessment

Sustainability Appraisal of the emerging East Hampshire Local Plan 2017-2036, Interim SA Report (December 2018)

Sustainability Appraisal Scoping Report (December 2018)

Sustainability Appraisal Non-Technical Summary

Agreed and signed off by:

Head of Planning: Simon Jenkins (Signed off 3 January 2019)

Legal Services: Nick Leach (Signed off 3 January 2019)

Finance: Lydia Morrison (Signed off 3 January 2019)

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Portfolio Holder: Cllr Angela Glass (Signed off 4 January 2019)

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