

## BRECKLAND DISTRICT COUNCIL

**Report of:** Executive Member for Growth

**To:** Cabinet 1<sup>st</sup> December 2015

**Author:** Iain Withington, Planning Policy Team Leader

**Subject:** Emerging Local Plan Preferred Directions

**Purpose:** The purpose of this report is to seek resolution from Cabinet to publish the Preferred Directions Local Plan for public consultation.

### **Recommendation(s):**

It is recommended that Cabinet endorse option 2 of this report.

### **1.0 Background**

- 1.1 Local Authorities are required by Government to produce and keep up to date Local Plans for their area. Members will recall that Breckland resolved to prepare a new Local Plan in January 2013 in response to a number of changes to national planning policy, including the revocation of the Regional Spatial Strategy and the introduction of the National Planning Policy Framework (NPPF) and also to reflect the need for an updated local evidence base.
- 1.2 Once adopted the Local Plan will replace the existing suite of adopted development plan documents which were prepared as part of the previous planning regime under Local Development Frameworks,(LDF).These include the Core Strategy and Development Control Policies DPD, Site Specific Polices and Proposals DPD and the Thetford Area Action Plan. It is proposed that the plan period for the Single Local Plan will be 2011 – 2036.
- 1.3 Members will be aware that the Council consulted on an Issues and Options document between December 2014 and January 2015. Since the Issues and Options consultation was concluded in January this year much work has been undertaken in order to advance the emerging Local Plan along the agreed time line. Members will be aware that through the Local Plan Working Group (LPWG), the consultation responses from the Issues and Options consultation have been reviewed and discussed, and that they have been used along with emerging evidence and further working group discussion to develop appropriate policy directions and preferred policies for the emerging Local Plan. In addition the policy team have commissioned and continue to project manage a variety of studies that will ultimately inform the Draft Local Plan.

### **Preferred Direction Local Plan Document**

- 1.4 The purpose of the Preferred Directions consultation document is to outline the Council's preferred policy directions on **strategic issues**, its preferred **development management policies** and the range of **emerging site options**. In order to achieve this, the document seeks to review the options put forward at the Issues and Options consultation stage as well as the responses and commissioned evidence. In undertaking such a review the preferred approach is identified and justified. Subsequently, through the Preferred Directions consultation, the aim is to seek stakeholder views around the preferred and

alternative approaches put forward. Only after the consultation, and with further Member involvement through LPWG, will the actual policies for the Draft Local Plan be formed and sites selected.

- 1.5 The proposed consultation documents are split into four individual reports which are appended to this report. Appendix 1 is the Local Plan (part1) Preferred Directions consultation document, covering the strategic policies. Appendix 2 is the Local Plan (part2), Emerging Sites Options consultation document, Appendix 3 is the Sustainability Appraisal while appendix 4 is the Interim Sustainability Appraisal for the emerging sites.
- 1.6 The strategic policies, emerging site options and the development management section which form the consultation are summarised in the following paragraphs.

## **Strategic Policies**

- 1.7 When drafting the strategic policies a key requirement was to emphasise the specific Breckland response to the key planning issues and to emphasise the message of local distinctiveness.
- 1.8 This section sets out the overarching approach to the Local Plan detailing the Council's Vision, Strategic Objectives and approach to sustainable development. Based on the Joint Central Norfolk Strategic Housing Market Assessment (CNSHMA), and previous employment studies/core strategy requirements it sets out the preferred Spatial Strategy which provides for no less than 14,925 new homes (equating to 597 homes per annum) and associated infrastructure along with 67 ha of employment land between 2011 and 2036. Through the setting of the Locational Strategy a hierarchy of settlements has been identified where new allocations will be made. This is made up of the Key Settlements of Attleborough & Thetford, the Market Towns of Dereham, Swaffham and Watton and a series of Local Services Centres, which cater for everyday needs. Outside the development hierarchy of Key Settlements, Market Towns and Local Service Centres a preferred strategy for the specific approach to rural areas is also put forward. More detail on this is contained in the following paragraphs. The level of growth represents a reduction from the current Core Strategy target of 780 dwellings a year which was based on regional figures. The Council has previously under delivered against this target which is reflective of its ambitious nature and the national housing crisis/downturn of the economy.
- 1.9 On the basis that approximately 68% of growth remains directed towards the Strategic Urban Extensions (SUE) of Thetford and Attleborough, the Locational Strategy seeks to balance out the remaining growth throughout the District. It does this by elevating 9 previously identified rural settlements into the development hierarchy making a total of 22 Local Service Centres (LSC) in comparison to the current approach in the adopted Core Strategy of 14. These settlements and the approach taken are detailed in the emerging policy direction – PD 03 and a separate background topic paper. Briefly the aim is to support the thriving villages of Breckland, and the identification of the LSCs is based on those settlements that could accommodate growth based on the level of services and facilities that they provide. A key message of the NPPF is that planning should boost significantly the supply of housing and should meet the full objectively assessed need unless there would be significant adverse impacts. Following a review of settlements, the LSC's are identified as sustainable settlements and it is these locations that development itself should be directed to. This not only helps to support existing service provision and local communities but provide more choice and flexibility to aid the Council's five year land supply requirement. The emerging policy PD 04 goes on to explain the approach to the level and location of growth.

- 1.10 The approach to the rural areas is twofold regarding those rural settlements with settlement boundaries and those more dispersed villages and hamlets that do not. This approach seeks to enact the locally distinctiveness identified in Breckland's sustainable development policy. Outside the top three tiers of the settlement hierarchy the preferred direction does not allocate development sites in these settlements. Development will be treated as windfall and decisions made through development management in line with the criteria based policies in the Local Plan. Those settlements with settlement boundaries will be reviewed in line with the criteria put forward in the consultation document. It is intended that this review will be conducted through a separate topic paper in conjunction with Parish Councils and will inform the Draft Plan as it emerges at a later stage.

## **Economy**

- 1.11 The preferred approach detailed in the economic section seeks to deliver 67 Hectares of new employment land over the plan period. This figure sits between the “policy-on” job growth scenario and past take up rate scenario suggested by the Employment Growth Study. The figure is derived from the employment study evidence and the proposed strategy seeks to roll forward the existing allocations from the 2012 Site Allocations DPD so that a quantum of employment land remains in each higher order settlement and along the strategic corridor of the A11 to provide for choice and flexibility.
- 1.12 Evidence from the Strategic Housing Market Assessment (SHMA) has considered an approach to “balance out” the need for new dwellings with the expected level of new jobs forecast for the wider Central Norfolk Housing Market Area (HMA), utilising the latest information from the East of England Forecasting Model. For Breckland, uplift is applied to the Objectively Assessed Need (OAN) for the District to account for positive jobs growth.
- 1.13 When compared with available employment space identified by Council monitoring data and as reviewed through the 2013 Employment Growth Study Breckland has sufficient employment floorspace in quantitative terms to meet future needs up to 2031 under all scenarios of future growth. Although the District’s stock of industrial and office space suffers from a range of qualitative factors such as ageing accommodation with limited market appeal, local market feedback indicates that the level of demand may not be sufficient to justify any significant additional allocations of land for employment. It is proposed that employment sites throughout the District are retained to help cater for local development and strategic priorities along the A11.
- 1.14 In terms of retail and town centre policies the preferred direction is to promote the vitality and viability of the town centres. The retail policies contain a retail hierarchy similar to that in the existing Core Strategy, but with slightly amended town centre boundaries in Thetford, Dereham and Attleborough as recommended in the 2014 retail study. These changes reflect development on the south side of the river in Thetford and some amendments to the primary and secondary frontage in Dereham and Attleborough to reflect expanded retail use.
- 1.15 Policies include the setting of a varied threshold for any retail impact assessments across the 5 market towns in the District and sets the preferred policy direction based on the available capacity as identified in the 2014 Retail Study. The purpose of this is to ensure that the town centres remain the preferred location for retail, food, office, leisure and cultural facilities as defined by national policy. This sets the foundation for the Council to build upon the emerging strategic priority of supporting the viability and growth of the 5 market towns in the emerging Open for Business Strategy and to implement other emerging initiatives such as business rate reforms which may help attract a variety of uses into the town centre.

## Housing

- 1.16 Housing policies detail the preferred direction for the setting of the affordable housing target and the approach to Gypsies & Travellers requirements. The affordable housing target at 36% reflects information in the CNSHMA and is applied to proposals of 5 or more dwellings. This approach is subject to further viability assessment and it is expected that the final percentage and affordable housing policy will be informed through the Plan Wide Viability work that has recently been commissioned. The policy direction reflects the emerging Housing and Planning Bill as far as possible and it is expected that the final Local Plan policies will need to be worded so as to remain flexible in order to reflect the Council's response through any revised housing strategies and the emerging/future national changes such as the requirements to facilitate Starter Homes as well as consultation responses.
- 1.17 The approach to Gypsies & Travellers details how site assessment will be carried out with the preferred approach reviewing the existing temporary permissions expiring during the plan period. This may result in the identification of sufficient sites to meet the identified need; however at the time of writing the Preferred Direction consultation document updated guidance has come into effect that changes the planning definition of travellers limiting it to those that have a nomadic habit of life. This raises the question of how through the planning process it is determined whether a family are still travelling or not and are therefore entitled to a pitch. It also raises the question of how the overall level of need is calculated. It is expected further guidance and case law and/or review of evidence may be required before the document is submitted for examination.

## Area Strategies and Site Options

- 1.18 The Area Strategy section sets out the approach to Attleborough and Thetford and the site options available in the identified settlement hierarchy. The Attleborough section seeks to complement the approach being developed by the Neighbourhood Plan group by laying out the policy direction and strategic requirements which the neighbourhood plan is seeking to build on and add local distinctiveness. Further work is required in partnership work with the Council and statutory bodies in order to develop the specific policy requirements for the Attleborough SUE for the Draft Plan.
- 1.19 The maps contained in this part 2 of the consultation document (appendix 2, as attached), show the emerging site options at a point in time. It is important to note that site assessment is an iterative process and is ongoing. The assessments follow the methodology agreed by LPWG and contained in the site methodology Topic Paper and reflect a point in time. The consultation is a way of obtaining responses on the assessment so far and obtaining input from statutory bodies.
- 1.20 At this stage in the plan preparation process, there are a number of points worthy of reiterating, as follows:
- No decision has been made on preferred site options; the conclusions drawn out at this stage are interim. The process is iterative and further consideration including Member engagement will take place between now and the draft plan stage in mid 2016.
  - The assessment is informed by the Strategic Housing Land Availability Assessments, undertaken in 2014 and 2015 and include an interim conclusion informed by informal comments from Highways, and sustainability appraisal. The consultation provides the opportunity to receive feedback on all emerging options and will enable respondents to submit alternatives.

- Sites can come forward through both the Local Plan process and through the Development Management process. There is often a degree of overlap, however the processes are separate. Where sites have subsequently received planning permission these have been indicated and a date applied to the individual maps.
- It is not practical or appropriate at this stage to show sites which may be currently subject to live applications as yet undetermined.

1.21 For completeness and transparency accompanying each settlement is a table outlining a précis of each interim site assessment.

## **Development Management**

1.22 The proposed development management policies cover specific key strategic areas such as the environment, as well as detailing the emerging approaches to landscape character, heritage assets and the Brecks as examples. Economic policies focus on the approaches to employment, and cover issues such as developer obligations. Community policies focus on emerging preferred policies around the principles of new housing, the protection of amenity, conversions and the approach to housing exception sites.

1.23 Many of these policies are based on a review of Core Strategy policies and updated against the requirements of the NPPF in conjunction with development management colleagues. These policies complement the strategic approach and seek to add detail for decision making. In some specialist areas, in order to form the emerging policy specific advice has been sought from the appropriate statutory body such as Natural England and in the case of the approach to Sustainable Draining Systems (SuDS), Norfolk County Council.

1.24 In some areas National Planning Guidance and policy continues to evolve, and as such, new policies (in comparison to the Core Strategy), have been introduced seeking to meet these requirements. An example is in the area of new national building standards which have recently come into effect. Some of the standards are not mandatory, and can only be applied in an area if it is a requirement of the Local Plan. The proposed policy in this area seeks to implement national standards around adaptable homes and disabled access and complement approaches to be developed through the Council's Housing Strategies and the emerging Local Plans approach to specialist housing.

1.25 **Overall** it is intended that this document focuses on delivering the key high level & strategic priorities for the District. In terms of neighbourhood planning at this stage the document sets out the Council's preferred directions and will allow those communities that are developing a neighbourhood plan or are considering developing a neighbourhood plan, to review how best they can comply to the legislative requirements and align to the Local Plan. Publication will also enable communities to see how they could add value to these emerging strategic policies. It will also allow communities to identify areas where they wish to develop suitable neighbourhood plan/local policies more attune to their locations and community aspirations.

## **Next Steps**

1.26 Subject to Cabinet agreement it is proposed to carry out a six week consultation on the document in line with the Council's adopted Statement of Community Involvement and in line with regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The proposed consultation dates are 11<sup>th</sup> January – 19<sup>th</sup> February 2016. It is proposed to give advance notification to all Members and Parish Councils and a consultation plan developed and agreed with the Strategic Planning Manager and

Executive Member.

## **2.0 OPTIONS**

2.1 Subject to the Members view on the issues contained in this report, the Local Plan will be advanced accordingly. The aim is to propose the following options:

- **Option 1** – The Cabinet to approve the Local Plan Preferred Direction Development Plan Documents and Sustainability Appraisals for six weeks' public consultation;
- **Option 2** – The Cabinet to approve the Local Plan Preferred Direction Development Plan Documents and Sustainability Appraisals for six weeks' public consultation in principle and to authorise the Strategic Planning Manager and Portfolio Holder to make any necessary minor corrections, factual updates, formatting changes and other non-material changes that are identified prior to the publication of the Preferred Directions Changes consultation;
- **Option 3:** The Cabinet do not to approve to publish the Preferred Direction Development Plan Document and Sustainability Appraisal for public consultation.

## **3.0 REASONS FOR RECOMMENDATION(S)**

3.1 As can be seen from this report, the development of the single Local Plan is a complex, iterative and interrelated process which must also conform to the legislative parameters. The Preferred Directions document represents a suitable stage in which to progress the Local Plan through the scheduled regulation 18 consultation in line with the anticipated time line required in order to ensure the plan is adopted by end of 2016.

## **4.0 EXPECTED BENEFITS**

4.1 The NPPF requires Local Authorities to prepare Local Plans and to be kept up to date. The consultation on a new single Local Plan represents a further step to achieving the aim of having a new adopted Plan in place by 2017.

## **5.0 IMPLICATIONS**

### **5.1 Carbon Footprint / Environmental Issues**

5.1.1 It is the opinion of the report's author that there are no implications.

### **5.2 Constitution & Legal**

5.2.1 There are no direct legal risks resulting from the contents of this report; however, local planning documents need to be prepared in accordance with relevant Local Planning Regulations and Acts of Parliament, having regard to relevant considerations and case-law.

### **5.3 Contracts**

5.3.1 It is the opinion of the report's author that there are no implications.

#### 5.4 **Corporate Priorities**

5.4.1 This Local Plan aligns with the following corporate priorities: Supporting Breckland to develop and thrive; Providing the right services, at the right time and the right way; Developing the local economy to be vibrant with continued growth and: Enabling stronger, more independent communities. The production also aligns with the priority of enabling effective planning and delivery of housing solutions to meet local needs.

#### 5.5 **Crime and Disorder**

5.5.1 It is the opinion of the report's author that there are no implications.

#### 5.6 **Equality and Diversity / Human Rights**

5.6.1 It is the opinion of the report's author that there are no implications.

#### 5.7 **Financial**

5.7.1 It is the opinion of the report's author that there are no implications.

#### 5.8 **Health & Wellbeing**

5.8.1 It is the opinion of the report's author that there are no implications.

#### 5.9 **Risk Management**

5.9.1 It is the opinion of the author that there are some indirect risks associated with this report as follows:

- The Preferred Direction document is produced in advance of the completion of some of the emerging evidence base, principally with respect to housing need/requirement and water resources. It should be noted that the CNSHMA as used is a draft, and could be subject to minor amendment through the individual authority endorsement process.
- Further changes to national policy have been indicated which may affect plan content and or timing. Potential changes to the planning system are envisaged, including further expected announcements with respect to Local Plans in November 2015.
- The Local Plan is subject to the Duty to Co-operate with neighbouring authorities and other Key Stakeholders. There is the potential that discussions raised under the Duty may impact upon the Local Plan. In addition potential changes associated with the emerging devolution agenda may impact on the Local Plan process.

#### 5.10 **Staffing**

5.10.1 It is the opinion of the report's author that there are no implications.

#### 5.11 **Stakeholders / Consultation / Timescales**

5.11.1 It is expected that the next key stage of the emerging Local Plan will be informed by Members decision. The precise arrangements for consultation events are to be finalised but will be carried out in accordance with the statutory requirements and the Council's Statement of Community Involvement. The consultation is currently suggested to commence during the first week of January 2016.





