

POLICY AND RESOURCES COMMITTEE - 5 DECEMBER 2022

COUNCIL – 13 DECEMBER 2022

NOT DELEGATED

1. LOCAL PLAN: REGULATION 18 ADDITIONAL SITES FOR POTENTIAL ALLOCATION CONSULTATION (DCES)

1 Summary

1.1 This report seeks Members' approval of the Local Plan Regulation 18 Part Three: Additional Sites for Potential Allocation consultation document.

2 Background

2.1 The Local Plan Regulation 18 document was approved for consultation by Full Council on 25 May 2021. The consultation ran from 11 June – 20 August 2021. The document was in two parts:

- Part One set out the preferred development strategy and preferred policy options for Three Rivers over the next 10-15 years; and
- Part Two included potential sites that could be allocated for residential, employment or other uses in the Local Plan.

2.2 The sites in the consultation document were the sites identified as having potential for allocation for the following land uses: housing, gypsy and traveller and travelling showpeople accommodation, employment (including Warner Bros Studios), town centre and retail development, open space and education. Also included in the document were the proposed sites for allocation at Langleybury and The Grove and Maple Lodge Wastewater Treatment Works, both of which are existing allocations in the current Site Allocations LDD (adopted 2014). The proposed inseting of Bedmond was also included in the document.

2.3 The potential site allocations for housing and employment were subject to a technical assessment in the Strategic Housing and Employment Land Availability Assessment (SHELAA) and are the sites which have been assessed as suitable, available and achievable to meet the identified housing and employment needs and took account of the relevant national policy and officers consideration of harm to the Green Belt.

2.4 The housing target as calculated by the Government's standard method over the Regulation 18 plan period of 2018 – 2038 is 12,624 net dwellings. Once completions, commitments (unimplemented planning permissions) and a windfall allowance was taken into consideration the residual housing target is 10,678 dwellings. The Regulation 18 Potential Sites for Allocation document identified sites to deliver 8,973 dwellings. This was 1,705 dwellings short of the residual housing target.

2.5 As a result of the Regulation 18 consultation a further 18 additional sites were submitted for consideration by the Council. The Local Plan Sub Committee considered these additional sites and made a recommendation to the Policy & Resources committee on which sites to take forward as sites for potential allocation.

3 Details

- 3.1 The Local Plan Sub Committee considered the 18 additional sites at the 9 November 2022 meeting. Three additional sites were resubmitted by promoters and considered by the Sub Committee alongside these. Two of the three sites had been rejected at Full Council on 25 May 2021 on the basis of harm to existing communities. The other site had been rejected by officers due to access issues which can now be potentially resolved.
- 3.2 In coming to their recommendations the Local Plan Sub Committee considered the level of Green Belt harm weighing up the sustainability appraisal findings and accessibility to existing services and facilities as well as the proposed on site infrastructure provision on housing sites.
- 3.3 As stated in previous reports to the Local Plan Sub Committee and Policy & Resources Committee, the local housing need as calculated by the Government's standard method is substantially higher than the Council has had to plan for before and given the lack of urban sites and brownfield land there is a requirement to change the Green Belt boundary to accommodate that need.
- 3.4 The Local Plan Regulation 18: Part Two: Sites for Potential Allocation consultation document (2021) also consulted on the proposal to inset Bedmond in the Green Belt, which was agreed by the Policy and Resources Committee on 20 July 2020 and Full Council 25 May 2021. As further revisions to the Green Belt boundary are dependent on the specific site allocations, revisions to the Green Belt boundary in respect of future site allocations will be consulted on in the Publication version (Regulation 19) of the Local Plan.
- 3.5 It should be noted that two of the sites proposed for potential allocation are located in Bedmond. Although Bedmond has been proposed for insetting in the Green Belt, it remains a village in the Council's settlement hierarchy. As such, the cumulative impact of development on the village needs to be considered. With this in mind two of the three sites proposed for potential allocation in the Regulation 18 Part Two: Sites for Potential Allocation document are being recommended to be removed as the two sites replacing them are considered more suitable. This will result in a lower number of dwellings being proposed for Bedmond village.
- 3.6 Officers have added the sites recommended for potential allocation by the Local Plan Sub Committee on 9 November to a consultation document following the same format as the 2021 Regulation 18 Part 2: Sites for Potential Allocation document. The Local Plan Regulation 18: Part Three: Additional Sites for Potential Allocation is set out in Appendix 1.
- 3.7 The sites not being recommended to be taken forward can be viewed in Appendix 2. The two sites being proposed for removal in Bedmond are in Appendix 3.
- 3.8 The Local Plan Regulation 18 Part Three: Additional Sites for Potential Allocation document will also be accompanied by a Sustainability Appraisal Working Note (Appendix 4) on which we will also be inviting comments on. The evidence based studies that have informed the Local Plan will also be made available for reference only.¹ The majority of these were published alongside last year's Regulation 18 consultation and as such are already on the Council's website. Any new or updated

¹ Evidence based studies are made available for reference only and not subject to consultation.

documents will be published on the same web page:
<https://www.threerivers.gov.uk/egcl-page/new-local-plan-evidence-base>

3.9 The Additional Sites for Potential Allocation document plans for an indicative dwelling capacity of a further 832 dwellings in addition to the 8,973 dwellings provided for in Part 2 of the consultation. The total indicative number of dwellings being provided for by the Regulation 18 consultation as a whole² is 9,805 dwellings.

3.10 **Next Steps**

3.11 The consultation on the Local Plan Regulation 18 Part Three: Additional Sites for Potential Allocation document is planned for the end of January 2023 for a period of 6 weeks following approval by Full Council on the 13 December 2022 as set out in the Local Development Scheme being reported to the 5 December 2022 Policy & Resources Committee.

3.12 The consultation will be done in line with the Council's Statement of Community Involvement which can be found on the Council website at:
<https://www.threerivers.gov.uk/egcl-page/statement-of-community-involvement>

3.13 Following the consultation, the representations received will be considered and amendments made to the potential sites for allocation as appropriate, for inclusion in the Publication version (Regulation 19) of the Local Plan. This will include a consultation report on all three parts of the Regulation 18 consultation.

4 **Options and Reasons for Recommendations**

4.1 The preparation of the Local Plan must be undertaken in accordance with the relevant regulations. This includes statutory consultation in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

5 **Policy/Budget Reference and Implications**

5.1 The recommendations in this report are within the Council's agreed policy and budgets. The relevant policy is entitled Local Plan.

6 **Equal Opportunities, Staffing, Community Safety, Public Health, Communications & Website, Risk Management and Health & Safety Implications**

6.1 None specific.

7 **Financial Implications**

7.1 None specific. The costs associated with preparing, publishing and consulting on the Local Plan are included in existing budgets.

8 **Legal Implications**

8.1 The legal requirements for the preparation and consultation of Local Plans are set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). A failure to

² All the housing sites in Part 2 and the Part 3 of the Regulation 18 consultation together.

comply with the statutory requirements may result in the Local Plan being found unsound at the examination in public.

- 8.2 There is also a statutory requirement that Local Plans are subject to a Sustainability Appraisal incorporating the requirements of the Strategic Environmental Assessment. A Sustainability Appraisal will be published alongside the Local Plan Regulation 18 consultation documents.

9 Environmental Implications

- 9.1 The Local Plan promotes the Council's priority to maintain a high quality local environment and reduce the carbon footprint of the District. The Local Plan must be tested by a sustainability appraisal process so that any environmental impacts of policies can be minimised. A Sustainability Appraisal document in relation to the Local Plan Regulation 18: Part 3: Additional Sites for Potential Allocation will be part of the consultation process.

10 Customer Services Centre Implications

- 10.1 The CSC will be briefed to respond to requests for information on the Local Plan and the consultation.

11 Communications and Website Implications

- 11.1 The consultation will be online as far as possible, however there will be hard copies available to view at Council offices, Parish Council offices and at libraries across the District. A dedicated email will be set up for the consultation and a leaflet to all residents explaining progress on the Local Plan and how they can respond is to be sent. The Council's web site will be updated regularly.

12 Risk and Health & Safety Implications

- 12.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.
- 12.2 The subject of this report is covered by the Economic and Sustainable Development service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(tolerate, treat, terminate, transfer)</i>	Risk Rating <i>(combination of likelihood and impact)</i>
Failure/Delay in delivering Local Plan	May lead to uncertainty in the planning process and potential increase in planning appeals and		Treat	4

	risk of intervention of Local Plan			
Changes in National Policy & regulations	May require a significant alteration to emerging Local Plan	Keep informed on Government's changes	Tolerate	4

12.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely ----- Likelihood ----- Remote	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4
	Impact			
	Low -----> Unacceptable			

Impact Score

4 (Catastrophic)

3 (Critical)

2 (Significant)

1 (Marginal)

Likelihood Score

4 (Very Likely (≥80%))

3 (Likely (21-79%))

2 (Unlikely (6-20%))

1 (Remote (≤5%))

12.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

13 Recommendation

13.1 That the Policy & Resources Committee:

- Approves and recommends to Full Council the Local Plan Regulation 18: Part Three: Additional Sites for Potential Allocation document as set out in Appendix 1 for public consultation in accordance with the regulations and the Local Development Scheme.
- That delegated authority be granted to the Head of Planning Policy & Conservation and the Director of Community and Environmental Services in consultation with the Lead Member for the Local Plan to make any minor changes that are required before the documents are published for consultation
- That public access to the report be denied until after Full Council (13 December 2022)
- That public access to the decision be denied until after Full Council (13 December 2022)

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Background Papers

National Planning Policy Framework

Planning and Compulsory Purchase Act 2004

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Regulation 18 Part 1: Preferred Policy Options

Regulation 18 Part 2: Sites for Potential Allocation consultation document and appendices

Local Plan Sub Committee Meeting 9 November 2022

Statement of Community Involvement 2020

Interim Sustainability Appraisal Report 2021

Strategic Housing & Employment Land Availability Assessment Report 2020

South West Herts Local Housing Needs assessment 2020

APPENDICES / ATTACHMENTS

Appendix 1: Draft Local Plan: Regulation 18: Part Three: Additional Sites for Potential Allocation

Appendix 2: Additional Sites Not Taken Forward

Appendix 3: Regulation 18 Part 2 sites to be removed - Bedmond

Appendix 4: Sustainability Appraisal Working Note (November 2022)

Appendix 5: Additional Sites SHELAA Assessments

Appendix 6: District Map

Appendix 7: Bedmond Area Map

Appendix 8: Abbots Langley Area Map

Appendix 9: Kings Langley and Hunton Bridge Area Map

Appendix 10: Chorleywood Area Map

Appendix 11: Maple Cross Area Map

Appendix 12: West Hyde Area Map

Appendix 13: Sarratt and Chipperfield Area Map