

<b>Meeting:</b>	<b>Cabinet member decision - Infrastructure</b>
<b>Meeting date:</b>	<b>10 August 2018</b>
<b>Title of report:</b>	<b>Hereford Area Plan Site Options Consultation</b>
<b>Report by:</b>	<b>Senior Planning Officer (Forward Planning)</b>

## **Classification**

Open

## **Decision type**

Non-key

## **Wards affected**

Aylestone Hill; Belmont Rural; Bobblestock; Central; College; Dinedor Hill; Eign Hill; Greyfriars; Hinton & Hunderton; Holmer; Kings Acre; Newton Farm; Redhill; Saxon Gate; Tupsley; Whitecross; Widemarsh;

## **Purpose and summary**

To approve the publication of the Hereford area plan (HAP) housing and employment site options paper for consultation purposes.

The site options paper sets out to identify a range of sites considered as potential allocations for housing and employment uses within the HAP. It includes details of 57 housing sites and 5 employment sites considered to have potential for development across Hereford. The consultation will seek the public's views on the approach taken, including the site suggestions or whether other sites and proposals should be considered.

## **Recommendation(s)**

**That:**

- (a) the Hereford Area Plan site options paper (Appendix 1-9) is approved for consultation.**

## Alternative options

1. The delivery of potential sites for housing and employment will be a key element of the HAP. An alternative approach to developing the plan considered was to move directly to preparing a draft plan with a set of draft housing and employment allocations.
2. However, development plan documents are examined by independently appointed inspectors whose role is to assess whether the plan is sound. One of the tests of soundness is that a plan is considered justified when considered against reasonable alternatives. By carrying out this consultation it ensures that the wider community have been given the opportunity to contribute their views which will influence the Plan's outcome. Therefore, moving to publishing a draft plan without considering a range of site options and carrying out a public consultation would increase the risk of the document being found unsound at examination stage.
3. There are a number of site options within the document. The public are being asked for their views on sites considered to have potential and sites discounted for both housing and employment sites. A summary of the issues are set out for each site. There is also the opportunity to consider other non housing and non employment options for the relevant sites. Such needs might include the educational buildings, student accommodation, community buildings, multi storey car parking etc.

## Key considerations

4. The need to prepare the Hereford area plan was acknowledged by the inspector at the examination into the Herefordshire local plan core strategy. The preparation process includes undertaking appropriate consultation and engagement at key stages. The final plan will set out a suite of planning policies and proposals to guide development in Hereford for the period up to 2031 to help ensure that the strategic proposals set out in the Herefordshire local plan core strategy are delivered.
5. A vital policy area that the HAP needs to ensure delivery of is new housing. The three strategic housing sites at Three Elms, Holmer West and Lower Bullingham identified in the Core Strategy will account for a significant proportion of the city's housing growth target for the plan period. It is the task of the HAP to identify further deliverable site allocations to aid the delivery of the remainder of the target to 2031 to ensure the strategic target of 6,500 is achieved. In addition, there is likely to be a need for further employment land to be developed over the plan period and the paper also identifies potential options to bring such land forward.
6. The site options paper focusses on a range of potential site options for the delivery of housing and employment growth in Hereford City. The consultation process which will be undertaken will be used to help inform the preparation of a draft HAP covering wider development plan issues. Although this paper focuses specifically on housing and employment options, the adopted HAP will include a range of land use policies and proposals which, in addition to housing and employment, will include those related to matters such as: design; heritage; retail; the university; transport, tourism; leisure and environmental quality.
7. The Draft Plan/Preferred Options will analyse the outcome of the consultation and ongoing evidence base development will result in the identification of a set of housing and employment land allocations for inclusion within the HAP. Early testing will look at individual site impacts but once an initial package of potential sites has been selected, a

series of cumulative impact tests will be carried out. The results will help determine the necessary mitigation measures required, and the infrastructure required to support development but will also allow for adjustment to site selections if impacts cannot be addressed or alternative site package combinations would result in fewer cumulative impacts.

8. The document for consultation will be made up of :

Appendix 1 - Hap housing and employment site options - main document. This document sets out the background policy, evidence and other influencing plans and proposals, the methodology as to the how the sites have been assessed.

Appendix 2 - Main document appendices 1 -3; tables relating to site information

Appendix 3 – 8 - contains all the housing and employment site assessments. For each site there is a map and a conclusion on the site's potential

Appendix 9 - Consultation strategy

Appendix 10 - Questionnaire for HAP Site Options consultation

9. Because of the document size it will be arranged slightly differently on the web to make it clearer to the public which sites are being considered. The web will show the sites based on 5 major areas of the city which will include the north west, north east, south west, south east and the city centre area.

10. The following table is extracted from the Local development scheme and sets out the HAP timetable for production:

Public consultation on site options and call for sites	Summer 2018
Consultation upon draft plan/preferred options	Winter 2018
Council approval of submission document	Winter/Spring 2019
Pre-submission publication	Spring 2019
Submission	Summer 2019
Public examination	Autumn/Winter 2019/20
Adoption	Spring 2020

Consultation upon the Site Options Paper is anticipated to begin in mid August with the consultation running through to early October for seven weeks to take account of the summer holidays. The adopted Statement of Community Involvement sets out the minimum requirements for undertaking the consultation at this stage in the plan making

process. Notification will be sent to residents and business owners in and around Hereford, potential developers, landowners, statutory consultees and other key stakeholders. Consultees will have the opportunity to take part in an online or offline survey to gather feedback on individual sites, as well as the general approach taken in the assessment of them. Publicity will include information on the council website as well as social media. A briefing note will be published in the Ward Members newsletter and Clerks for the potentially affected parishes will be sent information about the consultation to display on notice boards. Events will be held for statutory consultees and other stakeholder organisations and an exhibition will take place, where the public can attend to find out more information. Officers will be available on designated days to answer any questions. Any consequential changes required as a result of publication of the National Planning Policy Framework (NPPF) on 24 July 2018 are included within the Site Options Plan (Appendix 1). There is no material change to the Site Options Paper as a result of the revised planning guidance.

## Community impact

11. The HAP will set out plans, policies and proposals to guide development in Hereford up to 2031. It will aim to take a balanced approach to accommodate new housing and employment development whilst ensuring good access to the natural environment that also allows for its protection.
12. The HAP will directly contribute to the corporate plan priority of supporting the growth of the local economy and helping to ensure a safe and attractive environment for residents, workers and visitors.
13. The Statement of community involvement identifies groups considered to be more of a challenge to engage with and sets out suggested methods to achieve greatest participation. A range of approaches will be used in order to ensure these groups have equal opportunity to contribute.

## Equality duty

14. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
15. In order to ensure that due regard for equality and diversity is met, the following measures will be taken:
  - The list of consultees will include a broad cross-section of society as well as key organisations representing all minority groups.

- Contact details will be publicised for anyone needing further assistance or information in an alternative format.

- 16 Where a decision is likely to result in detrimental impact on any group with a protected characteristic it must be justified objectively. This means that attempts to mitigate the harm need to be explored. If the harm cannot be avoided, the decision maker must balance this detrimental impact against the strength of legitimate public need to pursue the service change.

## Resource implications

- 17 Funding is available within the local development framework budget and associated reserves for consultations supporting the preparation of the local plan, its evidence base and associated documents. (The local development framework budget for 2018-19 is in the region of £42k with circa £174k held in reserves). There is provision within the local plan budget to cover consultation costs. The costs of undertaking the HAP consultation will involve venue hire, preparation of consultation information and printing. Hard copies of documentation will be kept to a minimum and, where possible, information distributed electronically. Costs of the consultation process are not anticipated to exceed £1,500.

## Legal implications

- 18 The Cabinet member for infrastructure has delegated authority from Cabinet in exercise of its functions under Part 3 Section 3 of the constitution for formulating or preparing the documents consisting of the budget and policy framework which includes DPDs pursuant to Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The subsequent adoption thereof is a Council function and was delegated to the cabinet member for infrastructure on 20 May 2016.
- 19 The Town and Country Planning Act 1990 confers statutory obligations on Herefordshire Council as the local planning authority for the administrative area of Herefordshire.
- 20 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) places a duty on local planning authorities to prepare and maintain a Local Development Scheme (LDS) which will specify documents (amongst other matters) once prepared, to be comprised in the Local Plan for the area. Development Plan Documents (DPDs) form part of the LDS. The HAP is one of a number of DPDs which will form part of the county's Local Plan and is required to take account of national government policy and planning practice guidance when being formulated.
- 21 Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) requires the DPD to be submitted to the Secretary of State for independent examination, once the council is satisfied it has complied with procedural requirements on preparation, publication and consultation (regulations 18-20) as laid out in the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2012. This report recommends the resolution be made to commence consultation in accordance with the regulations.

## Risk management

Risk / opportunity	Mitigation
The recommended approach suggested by this report provides mitigation to this risk	If the recommendation is agreed; the HAP is a statutory requirement which provides local planning policy coverage therefore these risks must be accepted by the Council
Representation from public consultation may be high. There may be additional evidence to consider in addition to this. This could mean a slippage in the timetable and meeting key milestones	Additional resources need to be considered if this is the case.
Additional unforeseen evidence required to support the HAP	Seek to monitor and anticipate likely evidence base requirements and have funding available.
Introduction of new national planning policy, legislation and guidance. Additional work to comply with new policy/legislation/guidance causes delay in the timetable and key milestones.	Keep up to date with changes and respond to changes early.
To not progress with the site options consultation on the HAP whilst moving straight to a Draft plan would not be advisable	Carry out a HAP site options consultation as proposed to ensure a well-founded plan can be progressed that meets the tests of soundness when examined by an external inspector.
To not progress the HAP would mean that the full Core strategy housing target for Hereford will not be delivered to meet the local need for this area.	There are no suitable mitigation measures to overcome this.

22 Risks will be managed at service level.

## Consultees

- 23 The statement of community involvement provides the basis to ensure appropriate consultation has taken place at key steps in the preparation of the HAP.
- 24 Public consultation on the HAP issues and options took place from 4 April to 22 May 2017. Following a 3-day exhibition at the Courtyard, information boards were on display at Hereford Library, and manned by officers once a week to answer any questions. This was an opportunity for the public to find out more about overarching plans around housing for the area.
- 25 Internal consultation with various departments, including transport, natural and built environment has taken place in order to ensure their input has been taken into consideration during the preparation of the site options document.
- 26 The document and consultation strategy has been presented to the HAP reference group, established in order to help to progress the preparation and delivery of the plan by providing advice, guidance and information upon the plan making process and the contents of the document. The group consists of elected councillors from Herefordshire Council, Hereford City Council and parish councils within the plan area together with other stakeholders representing economic, social and environmental interests.
- 27 Results of the consultation and considerations made by the council as a consequence of public feedback will be published following each stage of consultation.

## Appendices

Appendix 1 - Hap housing and employment site options - main document. This document sets out the background policy, evidence and other influencing plans and proposals, the methodology as to the how the sites have been assessed.

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## Background papers

None identified