

REGIONAL SPATIAL STRATEGY : INSPECTORS' PANEL REPORT – SEPTEMBER 2009

Report By: Head of Planning and Transportation

Wards Affected

County-wide

Purpose

1. To advise Members of the Panel Report into the Examination in Public into the Regional Spatial Strategy and its implications for Herefordshire.

Financial Implications

2. None directly as a result of the Panel Report.

Background

3. The Examination in Public (EIP) into Phase 2 of the Regional Spatial Strategy (RSS) took place from April to June 2009, and the Panel of Inspectors who held the examination published their "Panel Report" on 28th September. The Panel Report will now go forward to the Secretary of State who is not bound to accept the recommendations but will do so in all likelihood. He will then publish final amendments to the RSS by the end of 2009 with the intention of completing the formal process during 2010. Once this process is complete local planning authorities in the West Midlands Region will be obliged to ensure that their planning policies (in emerging Local Development Frameworks) are in compliance with the new RSS.
4. The summary below focuses on the most immediate consequences for Herefordshire. The Panel Report in total is 250 pages long, so what follows below is a very abridged version.

The Panel Report – in Summary

5. The Headline features, In summary, are:
 - Herefordshire's housing target for the period 2006 to 2026 has gone up from 16,600 to 18,000
 - Within that overall target the Hereford City (and immediate environs) allocation has gone up only 200, from 8,300 to 8,500 – this is not significant over a 20 year period
 - The allocation to the rest of the County (including the Market Towns) has increased more significantly, from 8,300 to 9,500 – this is intended to increase supply in rural areas to improve affordability
 - The approach to employment allocations has been revised – whilst the five year "reservoir" of 37 hectares has been maintained unchanged, the gross figure over the 20 year period has been recommended for an increase from 111 hectares to 148 hectares – but this figure takes no account of "recycling" of employment land where employment sites are redeveloped for employment use.

- The retail allocation has stayed unchanged at 40,000 sq metres of retail floorspace to 2021 with a further 20,000 for 2021 to 2026.
 - A revised housing “trajectory” has reduced the number of dwellings per year to be constructed in the period to 2011 but progressively increases it after then (this will have important consequences as we move into the “Delivery” phase)
 - All the above figures are now “Targets” and are not to be regarded as either minimum or maximum figures.
 - Whilst no specific policy is introduced in respect of the Outer Distributor Road the supporting text makes it clear that one will almost certainly be required.
 - Any relief road proposed for Leominster is regarded as a local matter and not included in the RSS because it is not strategic enough in the Regional context.
 - The practical difficulties of dual tracking the railway line between Hereford and Malvern are such that it was not considered practical to make a policy commitment to this
 - Amongst the general policies there is a requirement for local planning authorities to do Strategic Flood Risk Assessments and Water Cycle Studies (both of which Herefordshire has been doing anyway)
 - There is also the introduction of a “Merton” style rule to require developments above a certain threshold to ensure that at least 10% of the energy needs come from renewable sources
 - The consequences, under the Habitats Regulations, for water quality and quantity in the Rivers Lugg and Wye were not fully resolved and further work will have to be done at County level to ensure that the new development does not have an adverse effect on the biodiversity of these rivers – this is mainly an issue of ensuring adequate water supply and treatment. There will, however, be restrictions in the “Pilleth Water Resource Zone” which affects part of the County
- 6 The section of the Panel Report dealing specifically with Herefordshire is appended to this note below.

Consequences for the emerging Local Development Framework

Housing

- 7 The principle of increasing the Hereford target by 200, from 8,300 to 8,500, does not raise new issues. The addition of 1,200 dwellings to the target for the rest of the County is interesting – the impact of concentrating development in Hereford was such that house building rates in the rural areas would be reduced (by comparison with recent trends) – that reduction is now likely to be less severe.
- 8 A significant house building issue will be the recommended trajectory. The Panel of Inspectors have recommended what, in their view, is a pragmatic approach given the current recession, and reduced the housebuilding rates for the first five years of the plan period. However, not only are we already close to the end of that first period (it goes up to only 2011), the housebuilding rate must then pick up significantly to achieve the overall long-term target. Looking at the figures for the County as a whole, the rate of house completions recommended by the Panel is:

Period	2006-2011	2011-2016	2016-2021	2021-2026
Average completions per year in Herefordshire	540	800	1,080	1,190

- 9 The significant increase in housebuilding rates after 2011 anticipates adequate infrastructure being provided and will have consequences for service provision, for example, in the provision of school places.
- 10 From a planning application perspective if inadequate provision is made in the LDF for new sites for housing the Council will be vulnerable to planning permissions being won on appeal. It is therefore important that the necessary Development Plan Documents are sufficiently advanced before the step change in house building rates is due to take place post 2011.

Employment Development

- 11 There is one potentially significant change from the earlier version of the RSS Phase 2. The target for employment land was expressed as a rolling reserve of 37 hectares, up to a total of 111 hectares over the 20 year plan period. The Inspectors' Recommendation is that the figure of 37 hectares supply at any one time is retained with a ten year allocation of twice that, i.e. 74 hectares expected to be delivered in the first ten years. They have further increased the overall total over 20 years from 111 hectares to 148 hectares. This, however, does not appear to take account of "recycling" of employment land whereby new employment development takes place on recently vacated employment land.

Retail

- 12 The retail targets of new floorspace have remained unchanged at 40,000 sq meters up to 2021 and a further 20,000 sq metres for 2021 to 2026. This will be challenging but the Retail Study commissioned by the Council has justified the figures having taken account of both the current recession and longer term trends.

Transportation

- 13 On a regional scale much of Herefordshire's concerns are at the local level. The Panel Report remarks in various places the degree of remoteness of Herefordshire from the rest of the Region in terms of rail and road links. However, three issues relating specifically to Herefordshire were commented upon: rail links, the Outer Distributor Road (ODR), and a relief road for Leominster. The issue of dual-tracking the railway between Hereford and Malvern was noted for its difficulty and expense especially in respect of Colwall and Ledbury Tunnels. The Panel did not recommend any policy dependence on this taking place. The need for an ODR was carefully considered, notwithstanding the Highway Agency's somewhat neutral stance on the matter. The Panel concluded that a second river crossing and some form of relief road would be necessary but left the details to be worked up in the Council's own LDF. Their recommended changes include specific reference to the ODR in the supporting text, but the overall policy (which is a general enabling one) has remained unchanged. The Panel also briefly considered the concept of a Leominster Southern Bypass, but concluded that it would be of local rather than regional significance and should be dealt with at LDF level.

Water Issues

- 14 The Panel considered a wide range of representations on water issues including flood plain management and the consequences of development on the River Wye as an SAC (i.e. a Special Area of Conservation which is an European level designation for wildlife protection). Their recommended policy changes reflect current practice and the

Council is particularly well placed to respond in being well advanced with the Strategic Flood Risk Assessment and Water Cycle Study. Some issues, however, were not fully resolved and further work will fall on Herefordshire in respect of the effects of development on water quality an quantity in the Rivers Wye and Lugg.

- 15 A further specific issue relating to water is the circumstances of the "Pilleth Water Resource Zone". This is an area mostly in Powys near Knighton and Presteigne. However, part of it affects the western parts of three Herefordshire Wards: Mortimer, Pembridge with Lyonshall and Titley, and Kington. However, neither Kington town itself nor any of the main villages in those wards is affected. In the Pilleth Water Resource Zone there is a specific issue with water supply and it is recommended that no development which would require a new water supply be allowed in this area. In strategic terms this is not of significance but, at the immediate local level this comes very close to being a moratorium on new development until such time as Welsh Water and the Environment Agency can agree that there are adequate water resources to supply new development.

Sustainability and Climate Change

- 16 The principal policy response to the need for sustainable development and climate change is to concentrate development in Hereford and the Market Towns with the explicit aim of reducing the need to travel by private car. However, other issues of significance were considered and are recommended. In particular the "Merton Rule" is recommended for inclusion in the RSS. This would require, for example, on developments of ten or more houses, that at least 10% of the energy needs of the development be sourced from renewable resources. It is named after the London Borough of Merton which first introduced the policy in its own development plans. This can be carried forward in principle in the emerging Core Strategy and will be worked up in detail in a forthcoming Supplementary Planning Document, the Design Code for Herefordshire (which is scheduled to be progressed in 2010).

RECOMMENDATION

THAT;

The report be noted, subject to any comments Members may wish to make to the Cabinet Member, Environment.