

<b>MEETING:</b>	<b>COUNCIL</b>
<b>MEETING DATE:</b>	<b>19 JULY 2013</b>
<b>TITLE OF REPORT:</b>	<b>HEREFORDSHIRE LOCAL PLAN – CORE STRATEGY 2011 – 2031 (DRAFT)</b>
<b>REPORT BY:</b>	<b>ASSISTANT DIRECTOR ECONOMIC, ENVIRONMENT &amp; CULTURAL SERVICES</b>

**1. Classification**

Open

**2. Key Decision**

This is not a Key Decision as it is a Budget and Policy Framework item and the decision will be made by Council.

**3. Wards Affected**

County-wide

**4. Purpose**

To approve the Herefordshire Local Plan – Core Strategy 2011 – 2031 (draft) for pre-submission publication in accordance with regulation 19 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2012 (as amended).

**5. Recommendation(s)**

**THAT: Council**

- (a) **approves the Herefordshire Local Plan – Core Strategy 2011 – 2031 (draft) <https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/psp> as the preferred strategic planning document for Herefordshire for pre-submission consultation;**
- (b) **delegates authority to the Assistant Director Economic, Environment and Cultural Services, in consultation with the Cabinet Member Environment, Housing and Planning, in the event that technical and typographical amendments are required to the Herefordshire Local Plan Core Strategy 2011 – 2031 and supporting documents, resulting from the completion of on-**

**going technical work;**

- (c) **following the completion of the pre-submission publication of the Herefordshire Local Plan – Core Strategy 2011 – 2031 and its supporting documents the documents be submitted to the Secretary of State for an Examination in Public;**
- (d) **delegates authority to the Assistant Director Economic, Environment and Cultural Services in consultation with the Cabinet Member Environment, Housing and Planning to make any minor textual, typographical or graphical amendments, that does not affect the overall strategy of the Plan, prior to the submission to the Secretary of State.**

## **6. Alternative Options**

- 6.1 There is no alternative other than to prepare a Local Plan.

## **7. Reasons for Recommendations**

- 7.1 To ensure that the preferred development strategy for Herefordshire will be taken into account in future decision making.
- 7.2 To enable technical amendments to be made to the Herefordshire Local Plan – Core Strategy 2011 – 2031 (draft) prior to pre-submission publication.
- 7.3 To provide the context for the Herefordshire Local Plan – Core Strategy 2011 – 2031 to be submitted to the Secretary of State under section 20(3) of the Planning and Compulsory Purchase Act 2004 and regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 7.4 To enable minor textual, typographical or graphical amendments, that does not affect the overall strategy of the Plan, prior to the submission to the Secretary of State.

## **8. Key Considerations**

- 8.1 The Herefordshire Local Plan – Core Strategy 2011 – 2031 (draft) is the primary policy document the Council is required to produce as part of the Local Plan. This is a very important part of the Local Plan because it shapes future development and sets the overall strategic planning framework for the county. The Core Strategy balances environmental issues with economic and social needs and ensures that development is sustainable. It sets a vision as to how the county will look and function and how development needs will be met up to 2031. When it is adopted, it will form part of the development plan for Herefordshire and will provide the basis for determining planning applications. It will also play an important role in delivering the Council's vision in the longer term as well as supporting the key aims of the Corporate Plan.
- 8.2 Government policy for local plan preparation is contained in the National Planning Policy Framework (NPPF). This has a presumption in favour of sustainable

development making it clear that opportunities to meet the County's development needs should be positively sought and sets the principle that local plans should meet objectively assessed needs.

8.3 The Core Strategy will need to meet the key tests of soundness for adoption. The four key tests are as follows:

- **Positively prepared** – the Core Strategy should seek to meet development and infrastructure requirements, and be consistent with achieving sustainable development;
- **Justified** – the Core Strategy is the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the Core Strategy should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- The Core Strategy is **consistent with national policy**.

8.4 On 4 July 2013 Cabinet noted and approved the representations made to the latest consultation on a draft Herefordshire Local Plan – Core Strategy 2011 – 2031. Cabinet also recommended that the Core Strategy should proceed to Council for approval as the preferred strategic planning document for Herefordshire for pre-submission consultation, subject to the inclusion of the changes as set out in the schedule of amendments circulated at the meeting.

8.5 If Council approves the Core Strategy for pre-submission publication, the plan will then be published for representations to be made. The representations will be reviewed and consideration given to what, if any, changes should be made to the Core Strategy before submission. These must be taken into account by the inspector at the examination.

8.6 The Herefordshire Local Plan – Core Strategy 2011 – 2031 (draft) sets out the following strategic proposals:

- Provision of a total of 16,500 new dwellings in the County;
- Development of 148 hectares of employment land across the County including employment hubs;
- For Hereford an overall target of 6,500 new dwellings including the proposed urban extensions at Holmer, Lower Bullingham and Three Elms;
- Provision of a relief road to the west of Hereford;
- Accommodation of 5,300 new dwellings in rural areas over the plan period, supported by neighbourhood plans.

As a result of the consultation there have been amendments to some of the proposals in the Market Towns. The following table sets out the basis of the proposals;

	<b>Housing Target</b>	<b>Other Development</b>
Bromyard	500 new dwellings with 250 on the strategic housing site	5 hectare strategic employment site deleted from the Plan and established through a Neighbourhood Plan either on a strategic site or through the delivery of smaller sites
Kington	200 new dwellings – no strategic allocation	Employment site established through lower tier plan
Ledbury	800 new dwellings with 625 on the strategic housing site and 3 hectares of employment land	Strategic employment site
Leominster	2,300 new dwellings with 1,500 on the strategic housing site	Strategic employment site, not to be delivered until full occupancy of existing enterprise park
Ross-on-Wye	900 new dwellings with 200 on the strategic housing site	Continuing with the Model Farm employment proposal as identified in the Herefordshire Unitary Development Plan 2007

- 8.7 The report to Cabinet 4 July 2013 outlined a number of areas where work was on-going in order to be able to demonstrate to an Inspector at examination that the Core Strategy is soundly based. These areas were water quality and impact on River Wye Special Area of Conservation (SAC), the road studies and the viability of the Plan. Work is continuing on these three areas and is covered in more detail below.

#### **River Wye Special Area of Conservation (SAC)**

- 8.8 A key issue which emerged during the Core Strategy preparation process has been the water quality of Herefordshire's main rivers and, in particular, current levels of nutrients within parts of the system. The River Wye along the whole of its length and the River Lugg south of Hampton Court is designated as a Special Area of Conservation (SAC). It is essential that, before pre-submission publication and submission to the Secretary of State, that the Herefordshire Local Plan – Core Strategy 2011 – 2031 (draft) can demonstrate that it is fully compliant with the Habitat Regulations.
- 8.9 As reported to Cabinet on 4 July 2013, Natural England (NE) and the Environment Agency (EA) confirmed in a Statement of Intent on 15 February 2013 to produce a Nutrient Management Plan (NMP). The aims of the NMP will be to control and reduce phosphates in the SAC and in doing so to facilitate the delivery of new development. The NMP is being developed in consultation with Welsh Water (WW) and Herefordshire Council. The agencies committed to produce the NMP by July 2013 to allow any necessary amendments to the Core Strategy prior to the pre-

submission publication and the examination in public.

- 8.10 There have been on-going discussions with NE, EA and WW regarding progress of the NMP. The NMP was being produced to the agreed timetable using data from 2004. NE and EA have advised recently that there is data, particularly with regard to diffuse pollution, available from 2010 and that this should be used in their modelling for the NMP. The Council has agreed that the agencies should use the most up to date data to ensure soundness. The NMP will now be delivered by end of September 2013. The agencies have confirmed that the production of the NMP will not require any significant changes to the Core Strategy.

### **Road Studies**

- 8.11 There continues to be positive discussions with the Highways Agency to ensure that the work being undertaken, with regard to the transport model for Herefordshire, is progressing. The Highways Agency continues to express its support for the Council's approach for a relief road and a range of sustainable transport methods.

### **Viability**

- 8.12 The Council is continuing to work with its retained consultant (3 Dragons) on viability. Earlier work has demonstrated that the level of housing is viable and deliverable. This work will continue to be refined for independent examination. This will include the identification of public and private funding opportunities for the delivery of infrastructure.

## **9. Community Impact**

- 9.1 The principal aim of the Core Strategy is to set out the vision and objectives for the county and establish a policy framework necessary to deliver the vision to 2031. This will ensure that there are sufficient homes provided for all members of the community, improved employment opportunities and growth, sufficient retail provision, improved infrastructure across the county and protection of the open countryside and open spaces and provision of green infrastructure.

## **10. Equality and Human Rights**

- 10.1 In order to fulfil the requirements of Section 149 of the Equality Act 2010, an Equality Impact Assessment has been completed. The assessment ensures that there is no potential for discrimination and that all appropriate opportunities have been undertaken to advance equality and foster good relations.

## **11. Financial Implications**

- 11.1 The Council is facing significant challenges in financial terms and through the national settlement and reductions in funding. Budget decisions have been based on a set of three principal priorities: safeguarding the vulnerable, keeping communities' secure and economic growth. The process also includes fundamentally challenging what the Council does to ensure appropriate use of public funding and quality of service.

- 11.2 In respect of the Core Strategy future pressure on the budget will arise from the need to hold an Examination in Public into the soundness of the Core Strategy. Other pressure may result from potential updates to elements of the evidence base (including transport modelling, the production of a nutrient management plan and viability work) and work to progress more detailed documents (Gypsy and Traveller Development Plan Document, Planning Obligations Supplementary Planning Document, Local Aggregate Assessment). As a result work, is underway to identify and mitigate any impact of likely budgetary pressures upon the process and this will also involve consideration within the Council's financial planning.

## **12. Legal Implications**

- 12.1 Once adopted the Herefordshire Local Plan – Core Strategy 2011 – 2031 (draft) will become part of the statutory Development Plan for Herefordshire required by the Planning and Compulsory Purchase Act 2004 and prepared in accordance with the Town and Country Planning (Local Development) (England) Amendment Regulations 2012.

## **13. Risk Management**

- 13.1 Any delay in producing a Herefordshire Local Plan – Core Strategy 2011 – 2031 (draft) is likely to result in developers submitting applications for planning permission without the benefit of an overarching strategy. This could undermine the delivery of the strategic urban extensions proposed in the Core Strategy.
- 13.2 A lack of five year housing land supply would weaken the Council's ability to control which sites come forward for development.
- 13.3 If the Herefordshire Local Plan – Core Strategy 2011 – 2031 (draft) is not agreed the momentum may be lost with regards to the delivery of the Council's economic growth strategy. This risk is identified at RSK.EEC.009 of the Economic, Environmental and Cultural Services Risk Register.

## **14. Consultees**

- 14.1 During the period of preparing the Herefordshire Local Plan – Core Strategy 2011 – 2031 (draft) there have been seven periods of consultation as follows:
- Identifying the issues, May 2007;
  - Key issues consultation, September – October 2007;
  - Developing Options, June – August 2008;
  - Place Shaping, January – March 2010;
  - Preferred Options, July – November 2010;
  - Revised Preferred Option, October – November 2011;
  - Herefordshire Local Plan – Core Strategy (draft), March – April 2013.

The nature of the process has involved extensive engagement with countywide local people, interest groups and statutory agencies through the seven rounds of consultation.

## **15. Appendices**

15.1 Draft Core Strategy

## **16. Background Papers**

16.1 There are a number studies and documents that have been produced to provide evidence for Herefordshire's Local Plan – Core Strategy 2011 – 2031 (draft) that are already published. These can be found on the Herefordshire Council evidence base pages at: <https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/local-plan-evidence-base/>