

Cabinet

16 December 2014

Report of the Cabinet Member for Environmental Services, Planning and Sustainability

City of York Local Plan - Housing Numbers

Purpose of the Report

1. The purpose of this report is to update Members on the Local Plan following the Council Resolution on 9th October 2014 and to outline what actions are being taken to respond to the requirements of the motion.

Background

2. The Council motion passed at the Full Council meeting on 9th October 2014 states that the draft local plan approved by Cabinet on the 25th September 2014 'does not accurately reflect the evidence base and is therefore not based on objectively assessed requirements, is not the most appropriate strategy and has ignored reasonable alternatives rather than to test the approach against them and is not deliverable over the plan period and is contrary to the combined methodological approach of the Leeds City Region'.
3. The motion also states that 'Council believes that the current proposals fail to adequately reflect the results of the citywide consultations undertaken in July 2013 and July 2014' and that 'the current proposals will result in the plan being found unsound by the planning inspector leaving the city vulnerable'.
4. The motion requests that in order to accurately reflect objectively assessed requirements officers should produce a report on the housing trajectory to be brought back to the next meeting of the Local Plan Working Group (LPWG) along with the relevant background reports. The LPWG will then agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. This analysis will then be used to inform housing allocations and a new proposed Local Plan to be

brought back to the next LPWG for discussion and recommendation to Cabinet in November’.

Housing Need

5. The requirement for new homes is inevitably one of the most contested components of the Local Plan. In national guidance and at examinations it has been made clear that determining the housing requirement is not an exact science. Projecting population change and the consequent formation of households over a 15 to 20 year period is fraught with uncertainty.
6. This means we need to do the evidence base work necessary to understand the uncertainties and devise a policy approach and package of sites that best manages the uncertainty and ensures enough land is available to deliver the housing York needs.
7. The National Planning Policy Framework (NPPF) clearly says that Plans should make provision to meet need and should seek to boost housing supply with the caveat of ensuring that this does not conflict with the other key principles of the NPPF. The approach of examining need and then considering the implications for other policy components of NPPF leads to a two stage process
 - Establishing the Objectively Assessed Need; and
 - Testing the need against the other policy components of NPPF to determine the requirement and the supply.
8. The NPPF requires that Local Planning Authorities identify the objectively assessed need for housing in their areas, and that Local Plans translate those needs into land provision targets. Like all parts of a development plan such housing targets should be informed by robust and proportionate evidence.
9. Paragraph 17 of NPPF sets out a set of core land-use planning principles which should underpin both plan-making and decision-taking. This includes the following principle:

“Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable

for development in their area, taking account of the needs of the residential and business communities”

10. It is important to minimise delay in the preparation of the Local Plan in order to reduce the risks of not having a planned approach to development and to help to secure the right development for York. In addition there are associated risks that delay may hinder the delivery of key projects for the Council and key stakeholders as well as the potential financial risk associated with the Council’s ability to utilise planning gain and deliver strategic infrastructure.

City of York Local Plan – Housing Options

11. Following the Council resolution and the halting of the Local Plan Publication Consultation officers have been looking at the best way to respond to the requirements of the motion.
12. In order to facilitate an approach which allows members to understand and question the objectively assessed housing need evidence base officers organised a Local Plan Housing seminar for all Council Members to look at the approach to housing figures in detail. It was considered that this approach would help to inform members of the requirements of an objective assessment of housing need, provide a greater understanding of the technical evidence base produced to support the Local Plan to date and therefore help to inform the debate at any subsequent Local Plan Working Group.
13. All members of the Council were invited to the seminar which took place on Monday 1st December 2014 and in addition invitations were sent to Julian Sturdy MP and Hugh Bayley MP.
14. It was considered by officers that the seminar should be independently chaired and facilitated by the Planning Advisory Service (PAS). The Planning Advisory Service is a national organisation funded by central government which essentially promotes best practice in Planning. The role of PAS is to help local authorities to get an up to date local plan in place so that they have a framework for making local decisions. Their role is to provide support to local authorities to help them to understand what needs to be done to get a ‘sound’ plan in place and offers a support package which includes a review of evidence base and advice on how to ensure that local plans are compliant with the national planning framework.

15. Adam Dodgson who is the principal consultant at PAS chaired the seminar. In addition PAS also recommended a speaker covering NPPF compliance and related plan-making issues. John Baker who is a Director at consultants Peter Brett Associates but who also undertakes work for DCLG and PAS presented at the seminar on the requirements of NPPF and experience at examinations elsewhere.
16. In addition Christopher Tunnell who is a Director at the planning consultancy Arup, who undertook the housing requirements evidence base for the Local Plan, attended to present and take questions. This presentation covered the requirements of NPPF and National Planning Practice Guidance (NPPG) regarding objectively assessed housing need and the current evidence base for York. Anthony Light, Director at Oxford Economics who produced the employment projections for the Local Plan evidence base also attended to present and answer questions related to the economic evidence base.
17. Following the seminar on Monday 1st December 2014 the presentations from all three speakers along with an additional note produced by Arup on household formation rates was circulated to all attendees of the seminar and to members of the Local Plan Working Group. The information circulated to members is attached in Annex A to this report.
18. Following the seminar it is proposed to produce a report to the Local Plan Working Group on housing options. This will include further technical analysis related to housing options. It is anticipated that this will be followed by a further report to Local Plan Working Group which will outline the way forward on the Local Plan.
19. Once a position on the Local Plan has been agreed by Members the revised plan will need to be subject to additional evidence base work including sustainability appraisal; heritage; transport and viability and deliverability.
20. Once this further evidence base work has been completed and a revised plan produced and agreed by Members it will then need to be subject to a statutory six-week Publication consultation. Following the Publication consultation Council will be asked to approve the Publication Draft Local Plan for Submission which will then be subject to examination by a member of the Planning Inspectorate before being finally adopted.

Options

21. There are no options pertinent to this report.

Council Plan

22. The information in this report accords with the following priorities from the Council Plan
 - Create jobs and grow the economy
 - Get York moving
 - Build strong communities
 - Protect the environment

Implications

23. The following implications have been assessed.
 - **Financial** – Work on the Local Plan is funded through the Local Plan Reserve. A review of the Local Plan reserve is being undertaken to see whether all commitments can be funded. There are financial implications arising from both the current exercise of holding the local plan housing seminar and in addition from the need to further update the local plan evidence base and supporting documents.
 - **Human Resources (HR)** – The production of a Local Plan and associated evidence base requires the continued implementation of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within CES.
 - **Community Impact Assessment** - A Community Impact Assessment (CIA) has been carried out for the local plan to date and highlights the positive impact on the following groups: age, disability and race. The full CIA is attached to this report in Annex I.
 - **Legal** – The procedures which the Council is required to follow when producing a Local Plan derive from the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012. The legislation states that a local planning authority must only submit a plan for examination which it considers to be sound. This is defined by the National Planning Policy Framework as being:
 - **Positively Prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;

- **Justified:** the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective:** deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy:** enable the deliver of sustainable development in accordance with the policies in the Framework.

The Council also has a legal duty to comply with the Statement of Community Involvement in preparing the Plan. (S19(3) 2004 Act). Planning Inspectorate guidance states that “general accordance” amounts to compliance.

The Council also has a legal “Duty to Co-operate” in preparing the Plan. (S33A 2004 Act).

- **Crime and Disorder** – The Plan addresses where applicable.
- **Information Technology (IT)** – The Plan promotes where applicable.
- **Property** – The Plan includes land within Council ownership.
- **Other** – None

Risk Management

24. In compliance with the Council’s risk management strategy, the main risks in producing a Local Plan for the City of York are as follows.
- The risk that the Council is unable to steer, promote or restrict development across its administrative area
 - The potential damage to the Council’s image and reputation if a development plan is not adopted in an appropriate timeframe.
 - Risks arising from failure to comply with the laws and regulations relating to Planning and the SA and Strategic Environmental Assessment processes and not exercising local control of developments.
 - Risk associated with hindering the delivery of key projects for the Council and key stakeholders.
 - Financial risk associated with the Council’s ability to utilize planning gain and deliver strategic infrastructure.
25. Measured in terms of impact and likelihood, the risks associated with this report have been assessed as requiring frequent monitoring.

Recommendations

26. It is recommended that Members note the contents of this report.

Reason: So that an NPPF compliant Local Plan can be progressed

Contact Details

Author:

Rachel Macefield
Forward Planning Team
Manager
Tel: 551356

Chief Officer Responsible for the report:

Sarah Tanburn
Interim Director of City & Environmental
Services
Tel: 551330

Cabinet Member Responsible for the Report:

Cabinet Member for Environmental
Services, Planning and Sustainability

Report
Approved



Date 08/12/14

Specialist Implications Officer(s) N/A

Wards Affected: *List wards or tick box to indicate all*

 All

For further information please contact the author of the report

Background Papers:

Annex A – Local Plan Housing Seminar presentations

Glossary of Abbreviations used in the report:

LPWG - Local Plan Working Group

NPPF - National Planning Policy Framework

PAS - Planning Advisory Service

DCLG – Department for Communities & Local Government

CES – City & Environmental Services

CIA - Community Impact Assessment

SA – Sustainability Appraisal