

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter:	Adoption of Huntingdonshire Local Plan to 2036
Meeting/Date:	Council 15th May 2019
Executive Portfolio:	Housing, Planning and Economic Development
Report by:	Planning Service Manager (Growth)
Wards affected:	All

Executive Summary:

The Huntingdonshire Local Plan to 2036: Proposed Submission and its supporting documents were submitted for independent examination to the Secretary of State for Housing, Communities and Local Government (via the Planning Inspectorate) on 28 March 2018.

The examination hearings were held between 17 July and 27 September 2018 in the Civic Suite at Pathfinder House. The Planning Inspector issued his final letter to the Council on the 29th April 2019 where he concluded that the Huntingdonshire Local Plan (the Local Plan) provides an appropriate basis for the planning of the District, provided that a number of main modifications are made to it. The Council specifically requested on 17 July 2018 that the Inspector recommend any main modifications necessary to enable the Local Plan to be adopted.

The main modifications required by the Inspector can be summarised as follows:

- Amend the Development Strategy and associated policies and text to remove the separate category of Local Service Centres. Delete Policy LP9 and delete the site allocations in these settlements (AL1, BL1, BL2, GS1 and GS2);
- Delete Policy LP29 on Community Planning Proposals as it is not justified, effective or consistent with national policy;
 - Amend the text supporting the site allocations SEL1.1, SEL1.2, HU1 and SEL2 to ensure that it is realistic and effective in terms of the combined rate of housing completions in the plan period;
 - Add a summary housing trajectory to ensure that the Local Plan is effective in setting out clearly a realistic trajectory and explaining the contribution that different elements of the supply will make;
- Combine site allocations HU5 and HU6 and associated policies and text to take account of the up to date situation regarding proposals for the sites;
 - Delete site allocations HU9, HU16, SN5 and SI4 due to concerns over flood risk;
 - Delete site allocation SM5 as the site is not deliverable due to a lack of access;
 - Amend Policies HU10 and HU17 to ensure that the site boundaries for the allocations are justified and effective; and
- Amend the detailed wording of a number of policies to ensure that they are justified, effective and consistent with national policy.

It is recommended that the Huntingdonshire Local Plan 2036, with all main and additional modifications and its accompanying Policies Map be adopted.

RECOMMENDATION:

That Council:

1. Note the Inspector's Report containing the Inspector's main modifications to be made to the submitted Huntingdonshire Local Plan 2036 in order for it to be found sound (Appendix 1);
2. Note the schedule of Main Modifications (Appendix 2) to the Huntingdonshire Local Plan 2036;
3. Adopt the Huntingdonshire Local Plan Local Plan 2036 (Appendix 3), including main modifications and additional modifications relating to presentational improvements, factual updates, grammatical and typographical corrections;
4. Adopt the Huntingdonshire Local Plan Policies Map <http://applications.huntingdonshire.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=14152>;
5. Note that if the Local Plan is adopted a copy of the Final Sustainability Appraisal report, including a Sustainability Appraisal Post-Adoption Statement, will be made available for inspection alongside the Local Plan.

1. PURPOSE OF THE REPORT

- 1.1 To consider the Inspector's Report and make the final decision on the adoption of the Huntingdonshire Local Plan to 2036, in accordance with the Local Development Scheme.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 On 13 December 2017 Full Council endorsed the Huntingdonshire Local Plan to 2036 and associated documents for publication, and gave delegated authority for inconsequential changes to the Plan and its subsequent submission to the Secretary of State for Housing, Communities and Local Government.
- 2.2 The Huntingdonshire Local Plan to 2036: Proposed Submission and its supporting documents were submitted for independent examination to the Secretary of State for Housing, Communities and Local Government (via the Planning Inspectorate) on 28 March 2018.
- 2.3 The Secretary of State appointed Kevin Ward from the Planning Inspectorate to carry out the examination of the Local Plan. His task was to assess whether the Local Plan has been prepared in line with the relevant legal requirements (including the duty to cooperate) and whether it meets the tests of 'soundness' contained in the National Planning Policy Framework (NPPF).
- 2.4 At the point of submission the Council produced a schedule of minor corrections providing clarification, updates and addressing typographical errors. This document (CORE/12 in the Council's Core Documents Library) and the submitted Local Plan were the starting point for the examination.
- 2.5 During the Local Plan examination only the Inspector has the formal power to recommend main modifications to the submitted Plan. Main modifications are changes that the Inspector considers are necessary to ensure that the Plan complies with procedural requirements and is sound. For the Inspector to exercise this power, he was invited to do so by the Council in accordance with section 20(7C) of the Planning & Compulsory Purchase Act 2004. The Council authorised the Head of Development to issue such an invitation to the Inspector on the 27 June 2018.
- 2.6 In practice, it is relatively unusual for an Inspector to recommend main modifications without there having been prior discussion of the need for potential or proposed main modifications at the examination. During the course of the examination of the Local Plan the Council and other interested parties had the opportunity to put forward suggested changes to the submitted Local Plan in response to the matters and issues identified by the Inspector.
- 2.7 In addition to main modifications (which are formally matters for the Inspector but subject to discussion at the examination as outlined above), the Council prior to adopting the Plan is empowered by section 23(2) and (3) of the Planning & Compulsory Purchase Act 2004 to make other changes known as additional modifications, provided only that they do not materially affect the policies in the Plan (either as originally submitted or as it would be if changed only by the Inspector's main modifications). These additional modifications are to correct minor errors, or to respond to representations made, or to provide updating in relation to any new circumstances that have arisen since the submission Local Plan was prepared, provided that in each case they do not materially affect the policies in the Plan. Additional modifications have been

made relating to presentational improvements, factual updates, grammatical and typographical corrections.

- 2.8 Following the hearing sessions, and after liaison with the Inspector on the terms of potential main modifications to the Plan, a further round of public consultation was held on the proposed main modifications, the associated sustainability appraisal and the habitats regulations assessment of the proposed main modifications at the request of the Inspector. This was undertaken from 10 December 2018 to 29 January 2019. The responses to this consultation were put before the Planning Inspector for consideration and he concluded that further hearings are not necessary, nor that any issues need to be revisited.
- 2.9 The Inspector's final report was issued on the 29 April 2019.

3. OVERVIEW OF INSPECTOR'S REPORT

- 3.1 The Inspector's Report addresses a series of themes set out below.

Development Strategy

- 3.2 In terms of the scale and level of need for growth the Inspector supported the objectively assessed need figures for housing, employment and retail uses put forward by the Council. He concluded that reasonable alternatives had been considered during the preparation of the plan in terms of the scale of growth, its broad distribution across the District and the specific site allocations. The Inspector considered detailed submissions on a large number of potential additional site allocations promoted by landowners/ developers but did not consider any were necessary to meet the housing requirement for the District.
- 3.3 The most significant change relating to this theme is the removal of the 'Local Service Centres' category from the settlement hierarchy and reinstatement of Alconbury, Bluntisham and Great Staughton as 'Small Settlements', coupled with removal of the five proposed residential allocations in those settlements because the proposed site allocations in the Local Service Centres are not necessary to ensure an adequate supply of housing land. (Paragraph 34)

Strengthening Communities

- 3.4 The Inspector supported the 40% target for provision of affordable housing on sites of 11 homes or more. He concluded that both the proportion and tenure mix sought are justified and viable for most typologies of housing development across the District. He considered the approach to Rural Exceptions housing to be a proactive one likely to provide a significant incentive to bringing forward much needed affordable housing.
- 3.5 Introduction of the higher 'optional' standards for accessible and adaptable dwellings and wheelchair adaptable dwellings was supported; the Inspector concluded it was justified by the local evidence put forward.
- 3.6 A significant change is the removal of the Community Planning Proposals policy. The Inspector acknowledged that it was an appropriate aim and funding provision can be challenging, however, he did not consider it to be consistent with national policy.

Flood Risk

- 3.7 Flood risk was an issue of particular concern to the Inspector who carefully scrutinised the capacity of sites not wholly within flood zone 1 to accommodate development. As a result of this four sites are deleted from the Plan put forward for adoption: Main Street, Huntingdon; Tyrells Marina, Godmanchester; the Former Youth Centre, St Neots; and the former Car Showroom, London Road, St Ives due to a range of factors including failure to pass the sequential test and insufficient evidence before the Inspector to conclude the exceptions test has been passed.

Housing Delivery

- 3.8 The Inspector has requested that the revised housing delivery trajectory prepared during the Examination be included within the Plan. The revised trajectory reduced the delivery rates expected for some of the larger allocations. He concludes that the trajectory is realistic in terms of the timescales and rates of housing completions and will be sufficient to meet the District's current housing requirement and provide for some flexibility. The Inspector notes that the anticipated housing delivery trajectory is based on a cautious approach; it takes account of the ability of the housing market to absorb new homes from sites which are clustered close together, specifically allocations around north-west Huntingdon and east of St Neots. Consequently these two areas are expected to continue to be built out beyond the end of the plan period in 2036.
- 3.9 The Inspector also assessed the five year supply of housing, taking 1 April 2019 as the base date being closest to the likely date of adoption. Including a 20% buffer the Inspector calculates the five year requirement to be 5,946 dwellings and the supply of housing to be 7,151 for the five year period from 1 April 2019. The Inspector concludes this is sufficient to provide for a five year supply with a significant degree of flexibility should some sites not progress as quickly as anticipated. This equates to a five year housing supply figure of 6.0 years (this is subject to confirmation when the annual development monitoring is completed in August 2019).

Statutory Duties

- 3.10 The Inspector has concluded that the Council has demonstrated constructive, active and ongoing engagement with relevant organisations on strategic matters. Therefore, the duty to co-operate arising from Section 20(5)(c) of the Planning and Compulsory Purchase Act 2004 (as amended) has been complied with.
- 3.11 To ensure legal compliance the Inspector considered the following:
- the aims set out in the public sector equality duty;
 - whether the preparation of the Plan has been in accordance with the Local Development Scheme;
 - whether consultation has been carried out in compliance with the Council's Statement of Community Involvement;
 - whether Sustainability Appraisal had been undertaken;
 - whether Appropriate Assessment had been undertaken to meet the requirements of the Habitats Regulations Assessment; and
 - whether the Local Plan included policies designed to contribute to the mitigation of and adaptation to climate change.

The Sustainability Appraisal undertaken incorporates the requirements for Strategic Environmental Assessment.

- 3.12 The Inspector has concluded that the Local Plan complies with all relevant legal requirements.

4. OPTIONS:

- 4.1 The options before members are to adopt the Local Plan as per the recommendation or to reject the Huntingdonshire Local Plan to 2036.

- 4.2 In the event Members decide to reject the Huntingdonshire Local Plan to 2036 the Council will not have an up-to-date development plan and will continue to be reliant on policies from the Local Plan 1995, the Local Plan Alteration 2002 and the Core Strategy 2009, all of which pre-date the NPPF. Where applications for housing are considered those policies have been deemed to be out of date for the purposes of decision making. The 'tilted balance' would continue to be engaged.

- 4.3 Failure to adopt the Plan without sound reasons could expose the Council to legal challenge on the grounds that it acted unreasonably. Given the process to date there are no sound reasons for this approach. Moreover, non-adoption of the Plan would mean that the process undertaken to date, and the time and resources spent, both by the Council and by other participants, on getting to this milestone stage, will have been to no purpose in terms of planning for the development to meet the district's needs

- 4.4 In the event this Plan is not adopted the Council would be obliged to prepare and submit a revised Local Plan in accordance with the NPPF and accompanying Planning Practice Guidance. Paragraph 002 Reference ID: 2a-002-20190220 (20/02/19) states "The National Planning Policy Framework expects strategic policy-making authorities to follow the standard method in this guidance for assessing local housing need." Paragraph 003 Reference ID: 2a-003-20190220 (20/02/19) goes on to advise that while the use of the standard method is not mandatory where circumstances warrant an alternative approach authorities can expect this to be scrutinised more closely at examination. There is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances.

- 4.5 Paragraphs 44 and 45 of the Inspectors report acknowledges that this Plan was submitted before the 24th January 2019 and that it is appropriate for overall housing need to be assessed against Objectively Assessed Needs but he does acknowledge that the standard method indicates a need for 1,010 dwellings per annum (results published in 2017) compared with the requirement of 804 dwellings per annum set out in the Local Plan. A revised Local Plan would need to meet the standard methodology requirement.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1 The Local Plan to 2036 will become part of the development plan immediately following its adoption along with its accompanying Policies Map. It will simplify the development plan position in Huntingdonshire significantly as on adoption it will supersede the following development plan documents:
- Core Strategy 2009

- Huntingdon West Area Action Plan 2011
- Local Plan 1995
- Local Plan Alteration 2002

5.2 The 'made' Neighbourhood Plans for St Neots, Godmanchester and Houghton and Wyton remain part of the development plan as do the Cambridgeshire and Peterborough Minerals and Waste Core Strategy and Site Specific Proposals Plan. To the extent that any of these policies are inconsistent with the Local Plan, it is the Local Plan as the most recently adopted document that will prevail.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND / OR CORPORATE OBJECTIVES

6.1 The production of the Huntingdonshire Local Plan to 2036 and associated evidence relates to the strategic priority of Delivering Sustainable Growth and specifically two associated strategic objectives.

6.2 The first objective under the strategic priority is as follows:

“To improve the supply of new and affordable housing, jobs and community facilities to meet future need.”

Our work programme includes:

- “ensuring an adequate supply of housing to meet objectively assessed needs;
- planning and delivering the provision of decent market and affordable housing for current and future needs;
- ensuring that there are the right community facilities to accommodate the housing growth.”

6.3 The relevant key actions for 2017/18 are:

- prepare the submission draft of the Local Plan;
- facilitate delivery of new housing on the large strategic sites at:
 - St Neots
 - Alconbury Weald
- maintain a 5 year housing supply position

6.4 The second related objective under the strategic priority is as follows:

“Support development of infrastructure to enable growth”

Our work programme includes:

- influencing the development of the Highways and Transport Infrastructure Strategy; and
- facilitating the delivery of infrastructure to support housing growth.

7. RESOURCE IMPLICATIONS

7.1 A single Planning Policy earmarked reserve was agreed at the Cabinet meeting of 17 March 2016 enabling money to be drawn down to support production of the evidence base.

7.2 In the event Members reject the Huntingdonshire Local Plan to 2036 significant staff and financial resources will need to be engaged in the preparation of an

updated evidence documents and revised Plan. This may also require additional monies to be made available within the reserve for the preparation of such evidence bases given the need to engage technical consultants in the preparation of those documents.

8. REASONS FOR THE RECOMMENDED DECISIONS

- 8.1 The Inspector has concluded that the Local Plan, subject to the main modifications, is Sound, capable of adoption, and complies with Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.
- 8.2 Adoption of the Plan will ensure the Council has a recently adopted Local Plan and policies for decision making are up to date.

9. LIST OF APPENDICES INCLUDED

Appendix 1 – Report on the Examination of the Huntingdonshire Local Plan
<https://www.huntingdonshire.gov.uk/media/3837/huntingdonshire-local-plan-inspectors-report-final.pdf>

Appendix 2 – Outline of Final Report Main Modifications from the Inspector
<https://www.huntingdonshire.gov.uk/media/3835/final-report-main-mods-appendix.pdf>

Appendix 3 – Huntingdonshire Local Plan 2036
<http://applications.huntingdonshire.gov.uk/moderngov/ecCatDisplay.aspx?schedoc&cat=14152>

BACKGROUND PAPERS

Planning and Compulsory Purchase Act 2004 –
<https://www.legislation.gov.uk/ukpga/2004/5/section/20>

New Local Plan 2036
<http://www.huntingdonshire.gov.uk/planning/new-local-plan-to-2036/>

Full Council Dec 17
<http://moderngov.huntsdc.gov.uk:8070/ieListDocuments.aspx?CId=322&MId=7219&Ver=4>

Full Council June 18
<http://moderngov.huntsdc.gov.uk:8070/ieListDocuments.aspx?CId=322&MId=7503&Ver=4>

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