

HERTFORDSHIRE COUNTY COUNCIL

CABINET

MONDAY 10 FEBRUARY 2003 AT 2.00 P.M.

COUNTY COUNCIL

THURSDAY 13 FEBRUARY 2003 AT 10.30 A.M.

Agenda Item No.

Cabinet

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County Council

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**HERTFORDSHIRE COUNTY STRUCTURE PLAN ALTERATIONS 2001 -
2016 – DEPOSIT VERSION**

Report of the Director of Environment

Author: Jon Tiley

Tel: 01992 556297

Executive Member: Iris Tarry

1. Purpose of report

- 1.1 To seek Cabinet and County Council approval for the draft Structure Plan Alterations 2001 to 2016 to be placed on deposit for public consultation.

2. Summary

- 2.1 Pre deposit public consultation on proposals to roll forward the County Structure Plan was approved by County Council on 18 June 2002. Public consultation was carried out over a period from 8 July to 30 September 2002. The consultation documents comprised a number of proposed policy amendments, together with a discussion of options for taking forward the main development strategy and employment policies of the Plan
- 2.2 The public consultation generated a great degree of interest and many written submissions, which have been carefully considered by the Structure Plan panel over a series of meetings, which commenced at the end of October. In addition a telephone survey of the County Council's Citizen Panel was carried out in October by MORI, together with a number of focus groups, which covered the major issues of the consultation. The Structure Plan Panel has also considered the results of these surveys.
- 2.3 In terms of the main development strategy, the Structure Plan Panel considered the consultation responses received in the context of the changed circumstances which have emerged over the last six months. These changed circumstances include the new monitoring results on housing commitments and capacity, the delay in the SERAS consultation programme and consequent delay in any Aviation White Paper, and the progress and timetable of the

Planning and Compensation Bill. On balance, the Panel have concluded that option C, the County Council's preferred option based on a "plan, monitor, manage" approach, which does not require the allocation of greenfield sites for development, remains the best strategy. Appropriate policies to reflect this are now contained in the draft plan.

- 2.4 In reaching its conclusions, the Panel have also considered Part 2 of the sustainability appraisal of the emerging plan alterations, which has been conducted by consultants. The Appraisal will form one of group of documents placed on deposit, to be read in conjunction with the Plan Alterations. The Panel have also taken into consideration the comments of District Council's made at a Joint Member Meeting held in January.
- 2.5 Finally, a number of revisions to the main body of policies in the draft plan, have been suggested by the Panel, in response to consultation responses, and in particular suggestions by District Council officers. Again, these policies have been examined by the Stage 2 Sustainability Appraisal.

3 Conclusions

- 3.1 The Structure Plan Panel, after due consideration, have now agreed a full set of Structure Plan Alterations, and consider that these Alterations can be recommended to the Cabinet and Full Council, to be the subject of formal public consultation at the deposit stage.
- 3.2 It is proposed that these Alterations should be placed on deposit for public consultation for a six week period, commencing 28 February and ending 11 April 2003.
- 3.3 In addition to the Plan Alterations it is proposed that the Stage 2 Sustainability Appraisal, and the Summary of Consultation Responses be placed on deposit, together with a formal Statement of Public Consultation.

1. Background

- 1.1 Work commenced on Alterations to the Structure Plan following the Environment Committee in October 1999. At that Committee, it was agreed that in order to examine how best to reduce the amount of greenfield development in the County, a review of the adopted plan should be commenced immediately. At the heart of the technical work underpinning the review was to be a thorough investigation of the capacity of settlements in the County to accommodate the housing figures of the emerging regional planning guidance. Regional Planning Guidance for the South East (RPG 9), set an annual house building target for Hertfordshire of 3,280 new homes each year from 2001 onwards. For the period covered by the RPG this would total 49,200 homes between 2001 and 2016.
- 1.2 By October 2001, the preliminary results of the Housing Capacity Study were available, and the Cabinet considered whether to carry out a first round of public consultation on the results. However, whilst Districts had been closely involved with the technical work involved in preparing the Capacity Study, many of the District Councils, expressed concerns about the findings. At a Joint Member Meeting in October, the County Council was asked to delay public consultation, to enable greater understanding of the study and to attempt to reach agreement on capacity figures for the County.
- 1.3 The public consultation was delayed to allow time for this work to take place. After a period of technical discussions and Member level meetings, where some progress was made, it was recognised that there was unlikely to be total agreement between the County Council and the Districts on this matter, and officers were asked by the Structure Plan Panel to prepare a number of development strategy options which reflected the differing views of housing capacity.
- 1.4 In June 2002, the County Council considered and agreed a document for pre deposit consultation, which set out three development strategy options for consultation, two strategies for approaching employment planning, and a set of new or amended Plan Policies for consultation. As part of the consultation, Technical papers on the Housing Capacity Study, Employment, and Stage 1 of the Sustainability Appraisal of the Plan Alterations were also made available.
- 1.5 The three development strategy options were :-

Option A – based on the County Council’s assessment of housing capacity on existing commitments and previously developed land at June 2002 of 47,000

Option B – based on the Districts’ view of capacity of 35,600, which would require some 14,000 homes to be built on greenfield sites up to 2016

Option C – based on the view that County and District estimates of capacity were quite close to 2011, and therefore given the uncertainties surrounding

major strategic planning issues, any decision about identifying greenfield development, if needed, should only be taken after a review of the situation in 2005/6 – the “plan, monitor, manage approach”.

2. Public consultation

- 2.1 The public consultation took place over the summer, running from 8 July to 30 September. Many responses were received over this period, in a variety of formats. Just over 1000 responses were received on the consultation form which formed part of a summary document or could be found on the Web Site. Over 2,000 submissions were received supporting option C and the potential deletion of the West of Stevenage proposal. There were also responses from all ten District Councils, a small number of adjoining Local Authorities, 35 Parish Councils, the Government Office for the East of England, a number of statutory consultees and a number of landowners and developers.
- 2.2 The consultation responses were summarised by officers and considered by the Structure Plan Panel at its meetings in October and December. A number of key submissions were also copied in full to all Panel Members.
- 2.3 In terms of response to the key question of which development strategy should be chosen, the response varied. The vast majority of the consultation leaflet responses by individual supported Option C. Similarly, the overwhelming majority of Parish Councils supported Option C, together with a number of major Agencies such as the Environment Agency and English Nature.
- 2.4 The majority of District Councils supported Option B, which was based on their own assessment of capacity. There was also some limited support for Option C and variants of it. Similarly, the vast majority of developers and landowners responding supported Option B.
- 2.5 Finally, the Government Office response raised a number of issues. Whilst generally supporting the approach taken to the Capacity Study and the emphasis on previously developed land, concern was expressed about the lack of consensus with the Districts over the results of the Capacity Study. In addition, the Deputy Prime Minister’s statement of July 2002 concerning growth areas, was cited as a reason for the Council to reconsider its proposals, particularly with respect to the strategic allocation West of Stevenage
- 2.6 In addition to the self selecting consultation responses, a survey of the County Council’s Citizens Panel was also conducted in October by MORI, together with a small number of focus groups. This exercise did not replicate the consultation document questions exactly, but examined the same issues. The results from this research also strongly supported the County Council’s preferred approach of using previously developed land if at all possible before greenfields to meet our housing requirements, and also not taking decisions to identify major greenfield sites for development, until key strategic issues were clarified. In addition, this research also highlighted growing concerns about the issue of housing affordability.

2.7 The other key topic of employment policy options also attracted a variety of responses. Again, general public response supported the County Council's proposals to plan on the basis of the future labour supply in the County. Most Districts also supported the principle of the approach, whilst expressing concerns about the practical implications of reducing the planned increase in employment floorspace and the release of employment land for other uses. The Chamber of Commerce expressed some concerns about the approach and the impact it might have on the County's long term prosperity, but cited housing affordability issues as a more immediate issue. Finally, EEDA totally rejected the labour supply approach, as it would not facilitate the growth target of the Regional Economic Development Strategy.

3. Consideration by the Structure Plan Panel

3.1 The Structure Plan panel considered these viewpoints very carefully. At the same time they also considered the circumstances which had given rise to Option C being chosen as the Council's preferred approach. There were two key justifications for choosing Option C.

3.2 The first was the result of the Housing Capacity Study. Whilst the County Council view was that the capacity study was robust, Option C was developed in part to reflect the concerns of the District Councils, that the capacity of previously developed land in the County had been overestimated. Option C was based on the fact that District estimates of Capacity to 2011 were similar to the County Council's. It was from 2011 onwards where uncertainty about capacity increased, and Option C attempted to deal with this uncertainty.

3.3 However, the results of monitoring for 2001/2, the first year of the new Structure Plan period, showed an increase in capacity and commitments. This has led to the County Council's total estimate of capacity being increased to 49,750. In short, another years monitoring was demonstrating an even greater degree of confidence in the County Council's Housing Capacity Study.

3.4 The second major justification for the Option C approach was the uncertainty about a number of key strategic decisions. In reviewing whether these uncertainties were any clearer, the conclusion was that they were not. In particular, the problems with the SERAS Consultation have pushed back key decisions on airport growth to be made by the Government.

3.5 This analysis confirmed the original views of the County Council that it was unlikely that key information would be available to carry out an effective sustainability appraisal of major sites for greenfield development, for a considerable period of time.

3.6 An additional consideration had also come forward. At the time of the pre deposit consultation, the timetable for reform of the planning system had still been uncertain. However, with the introduction of the Planning and Compensation Bill, and the first set of advice notes on transitional

arrangements published, it was also clear that waiting for these strategic planning decisions before proceeding with the Structure Plan was not an effective option. The majority of the Panel concurred that the best course of action was to progress the Structure Plan on the basis of Option C, in order for it to influence the emerging Regional and Sub regional strategies that would be prepared under the new legislation.

- 3.7 The Structure Plan Panel, therefore asked officers to work up a set of policies for the main development strategy of the Structure Plan. based on Option C. In addition, it was agreed that these policies should as far as possible reflect the concerns of the Government Office, in setting out the process for dealing with emerging regional and sub regional strategies which may demand a higher housing figure, at some point in the future.
- 3.8 The Structure Plan Panel, together with the Transport Panel has also considered all the other policies of the Structure Plan, which were subject to consultation in the summer of 2002, together with the comments made about them. This process has been greatly assisted by the helpful comments and suggestions of District Council officer. These policies have now been amended where it was considered appropriate by the Panel.
- 3.9 The Structure Plan Panel has also examined as part of its deliberations, Stage 2 of the Sustainability Appraisal of the Plan. As part of the process at this stage of the Structure Plan Alterations, a sustainability appraisal of the development strategy options and the emerging policies has been undertaken by independent consultants. This is complementary to the Stage 1 appraisal which informed the pre deposit consultation.
- 3.10 The Sustainability Appraisal will be placed on deposit with the Structure Plan Alterations. In short, the Appraisal of options has identified the key sustainability advantages and shortcomings of each option, which usefully summaries the key points around which decisions on which strategy to adopt are based. A major factor identified as having a bearing on the overall assessment is not surprisingly the degree of confidence that can be placed in the Housing Capacity Study. The overall conclusion of the assessment is that “It is very difficult for the appraisal to be able to distinguish which option performs best overall, particularly as each performs better against some aspects of the sustainable development agenda than others”.
- 3.11 The Sustainability Appraisal has also examined the relative sustainability of each individual policy. It has been used to inform some of the detailed wording of the emerging policies. However, this part of the appraisal has been somewhat disappointing in terms of the consultant’s inability to focus on sustainability issues as opposed to making general comments on the policies. It is proposed therefore that this section of the consultant’s work be accompanied by an officer commentary when placed on deposit.

- 3.12 The Structure Plan Panel have considered the Stage 2 Sustainability Appraisal and have concluded that it contains no basis for altering the favoured development strategy option or making further any significant policy change

4. Financial Implications

- 4.1 The costs of producing the deposit draft document, together with all other documents for the public consultation, and all statutory notices , can be met from within the existing Forward Planning budget allocation.

5. Conclusions

- 5.1 The Structure Plan Panel on 28 January formally commended the set of amended Structure Plan policies and text, to the Executive Member, and recommended that they should now be considered by Cabinet and County Council , with a view to them being placed on deposit for public consultation
- 5.2 It is proposed that in addition to the Structure Plan Alterations, that the Stage 2 Sustainability Appraisal, and the Summary of Consultation Responses are also placed on deposit. In addition, these documents will be accompanied by a Statement of Public Consultation.
- 5.3 To accompany the deposit version of the Structure Plan Alterations, there will also be made available updated Technical papers on the Housing Capacity Study and Employment.
- 5.4 Should Cabinet and County Council approve the Alterations for deposit, it is proposed that the deposit period should be from Friday 28 February until Friday 11 April.
- 5.5 Should this deposit period be agreed, then it would be possible to hold an Examination In public into objections to the Alterations, in September and early October, with a view to adoption of the Alterations by the County Council in Spring 2004.

Background Papers

Stage 2 Sustainability Appraisal of Hertfordshire County Structure Plan Alterations – Baker & Associates
Summary of Consultation responses and proposed Policy Amendments
Structure Plan Research – Survey Results – MORI November 2002