

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 24th April 2019

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WARD(S): ALL

PART I **FOR DECISION**

UPDATE ON THE REVIEW OF THE LOCAL PLAN FOR SLOUGH 2016 – 2036 - LOCAL DEVELOPMENT SCHEME AND HOUSING DELIVERY TEST

1. **Purpose of Report**

- 1.1 The purpose of this report is to update Member's about the results of the Housing Delivery Test which has been published by the Government and the need to publish a new Local Development Scheme setting out the Local Plan timetable.

2. **Recommendation(s)**

The Committee is requested to resolve:

- a) That the result of the housing delivery test be noted and an Action Plan prepared.
- b) That the draft Local Development Scheme in Appendix 1 be approved for publication on the council's website.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

3a. **Slough Joint Wellbeing Strategy Priorities**

The Local Plan will have an impact upon the following SJWS priorities:

1. *Protecting vulnerable children*
2. *Increasing life expectancy by focusing on inequalities*
3. *Improving mental health and wellbeing*
4. *Housing*

3b. **Five Year Plan Outcomes**

Ensuring that development is properly planned in Slough will contribute to the following Outcomes:

- *Our children and young people will have the best start in life and opportunities to give them positive lives.*

- *Our people will become healthier and will manage their own health, care and support needs.*
- *Slough will be an attractive place where people choose to live, work and visit.*
- *Our residents will have access to good quality homes.*
- *Slough will attract, retain and grow businesses and investment to provide jobs and opportunities for our residents*

4. **Other Implications**

(a) Financial

There are no financial implications.

(b) Risk Management

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
That the actions set out in the report be approved.	Failure to progress the Local Plan will affect the Council's ability to plan for development in the most sustainable way.	Agree the recommendations.

(c) Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications as a result of this report.

(d) Equalities Impact Assessment

There are no equality impact issues

5. **Supporting Information**

Introduction

- 5.1 We have been making significant progress in producing the new Local Plan for Slough which will have to address a number of important issues. The emerging Preferred Spatial Strategy sets out how we intend to concentrate major new development in the centre of Slough, accommodate the growth at Heathrow and meet our unmet housing needs in a Northern Expansion of Slough.
- 5.2 These are complex matters which are not all under our control and will take time to resolve. We are, however, required to produce a timetable for the Local Plan which has to be published in a Local Development Scheme (LDS). The current assumption is that we cannot submit our Plan until the decision about the third runway at Heathrow has been made and this is reflected in the proposed LDS which is set out below.

- 5.3 In the meantime we have a short term problem with our housing supply which has been reflected in the results of the Housing Delivery Test which have just been published by the Government. This requires us to produce an Action Plan which will provide us with the opportunity to engage with landowners and developers to see how we can bring sites forward for development.

Local Development Scheme

- 5.4 Slough Borough Council, as the local planning authority, is required to produce a timetable for the preparation of the Local Plan, which is set out in a Local Development Scheme (LDS) under Section 15 of the Planning and Compulsory Purchase Act 2004.
- 5.5 The key purpose is to inform the public, stakeholders, and other interested groups of how the council is approaching spatial planning and the control of development in Slough.
- 5.6 The project plan sets out the following:
- the timetable (including milestones to be met) for Local Plan Documents to be prepared, together with information relating to the purpose and status of each document
 - the resources required for producing these and any risks in meeting the timetable
 - the saved Development Plan Policies for Slough
- 5.7 Our most recent version of the LDS, which was published in December 2016 does not provide any dates for the Local Plan for “Submission” through to “Adoption”. This is because of the uncertainty about what was happening with Heathrow.
- 5.8 We have been advised by the MHCLG that we need to put dates in the LDS in order to keep people fully informed about what is happening. As a result we are proposing to publish a new LDS document as set out in Appendix 1. The Local Development Scheme will be available on the Council website www.slough.gov.uk/localplan and be updated where necessary.
- 5.9 The new LDS includes dates for the Local Plan from the Preferred Options consultation to Adoption as shown below:
- Preferred Option consultation- February 2020
 - Publication- Summer 2021
 - Submission to the Secretary of State- Winter 2021
 - Independent examination-Spring 2022
 - Receipt of binding report- Summer 2022
 - Adoption- Summer 2022
- 5.10 This shows that the final submission of the Plan to the Secretary of State would be in Winter 2021 which is after we expect the decision to be made on the Third Runway Development Consent Order (DCO). The reason for this is

that since the Local Plan supports the third runway the examination could be inundated with objections about Heathrow which are outside of our control. This could result in a very long inquiry which would be an unnecessary use of time and resources.

5.11 An explanation of the proposed timetable is set out in the Draft document in Appendix 1.

5.12 It should be emphasised that this delay to the final stages of the Plan does not mean that we cannot make progress on bringing forward development. We will continue to prepare the necessary evidence for the Local Plan such as the Centre of Slough Strategy which will be brought to Members in due course.

Housing Delivery Test

5.13 The updated National Planning Policy framework introduced a Housing Delivery Test. This measures net additional dwellings over a three-year period against councils' housing requirements which is based upon the local housing need figure from the standard methodology.

5.14 The results for Slough, which were recently published by the MHCLG, are shown in Table 1 below:

Table 1.

Year	Need	Supply	Surplus/Shortfall
2015/16	922	789	-133
2016/17	910	524	-386
2017/19	690	846	156
Total	2,522	2,159	-633 (86%)

5.15 This shows that Slough met 86% of the housing needs over the last three years which was mainly caused by the comparatively low number of completions in 2016/17.

5.16 Councils that supplied less than 95% of the housing need are deemed to have failed the Test. As a result Slough, along with around a third of authorities will have to prepare an Action Plan.

5.17 Councils that supplied less than 85% of the need are classed as significant under delivers and so a 20% buffer has to be added to the % Year land Supply target. We just avoided this and so we only have to provide a 5% buffer.

5.18 Councils that supplied less than 25% of the need will face having a presumption in favour of development. No Authorities were found to be at this level but the requirement will be increased each year up to 75% in 2021 which is likely to affect many Councils in the future.

- 5.19 One of the problems with the Housing Delivery Test is that, because it is measuring past performance, there is not much that Council's can do to avoid being caught in the next couple of years.
- 5.20 One of the other problems is that the actual delivery of housing is also largely outside of the control of the Local Planning Authority which cannot force land owners or developers to build upon the sites that have been allocated in plans or granted planning permission.
- 5.21 The opportunity to prepare an Action Plan is, however, to be welcomed because it will give us the opportunity to explain what steps we are taking to promote development, highlight the problems that we have with the lack of sites and engage with landowners and developers to see what measures can be taken to speed up delivery.
- 5.22 There is a requirement to produce an Action Plan within six months and so it is proposed to produce a draft plan for approval by this Committee in June or July.
- 5.23 It should be noted that the Government has also made changes to the way in which the Five Year Land Supply is calculated. This includes using the standard methodology for calculating the requirement and changing the definition of which sites can be included in the supply. As a result sites without full planning permission are only considered to be "deliverable" if there is "clear evidence that housing completions will begin within five years".
- 5.24 The last report to Planning Committee on 1st August 2018 showed that on the evidence that we had at the time we had a 6.52 years supply of housing.
- 5.25 We haven't yet completed our site visits to establish how many houses have been built in 2018/2019. Once we have done this we will be able to report the latest position to Committee which will include an updated housing trajectory.
- 5.26 In the meantime Members need to be aware that we may no longer have a Five Year Land Supply which will need to be taken into account when determining planning applications. The NPPF makes it clear that in these circumstances the presumption in the favour of sustainable development applies and planning permission would be granted.

6. **Conclusion**

- 6.1 The report sets out the timetable for the Local Plan which will be published in a revised Local Development Scheme. It also highlights the need to produce an Action Plan following the publication of the Housing Delivery Test.

7. **Appendices Attached**

'1' -Draft Local Development Scheme (April 2019)

Appendix 1:

**DRAFT LOCAL DEVELOPMENT
SCHEME (LDS)**

SLOUGH BOROUGH COUNCIL

April 2019

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Introduction

- 1.1 This Local Development Scheme (LDS) sets out Slough Borough Council's timetable for producing planning policy documents.
- 1.2 Local planning authorities are required to produce a Local Development Scheme under Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by part 111 of the Localism Act 2011.
- 1.3 The LDS should state:
 - (a) the local development documents that will be produced;
 - (b) the subject matter and geographical area to which each document is to relate;
 - (c) which documents are to have 'development plan' status;
 - (d) which documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - (e) any matter or area where there is, or is likely to be, a joint committee;
 - (f) the timetable for the preparation and revision of the documents
- 1.4 The Local Development Scheme will be available on the Council website www.slough.gov.uk/localplan and be updated where necessary.

2 Background

- 2.1 Slough has a current Core Strategy adopted in December 2008; Site Allocations adopted in 2010 and saved policies from the Local Plan 2004. There are also saved policies from the Minerals and Waste Plans. These will remain the statutory Development Plan until the new Local Plan reaches adoption.
- 2.2 Councils are required to prepare a Statement of Community Involvement (SCI). The Council prepared a draft SCI which was consulted on alongside the Issues and Options document in February 2017.
- 2.3 The Local Plan will be accompanied by other planning documents which are not required to be included within this LDS. These include:
 - Annual Monitoring Report (AMR)
 - Sustainability Appraisal (SA)
 - Other supporting documents
- 2.4 For information purposes we also have a Residential Extensions Supplementary Planning Document (SPD) which was adopted in January 2010. Also we have Developers Guide which is supplementary planning guidance but not formal SPD.

3 New Local Plan

- 3.1 In December 2015 the Council carried out a Regulation 18 consultation on the scope of the local plan. This explained that Council is proposing to prepare a single Local Plan Document to fully replace the existing Core Strategy DPD, & Site Allocations

DPD and saved policies from the 2004 Local Plan. The Slough Local Plan will not cover Minerals and Waste but the need for these will be kept under review.

- 3.2 Slough's Issue and Options document was subject to a six weeks consultation on 16th January to 27th February 2017. The most significant outcome of the consultation on the Issues and Options Document has shown that there are no reasonable spatial options, or combination of options that would allow Slough to meet all of its identified housing and employment needs within its boundaries.
- 3.3 The development of the "emerging" Spatial Strategy took account of the results of the public consultation on the Issues and Options report, the identified spatial development principles and available evidence. It also took account of the major uncertainties which are facing Slough, such as the future of Heathrow Airport and the fact that there is no reasonable option which would allow all of the assessed housing and employment land needs to be met within the Borough boundaries.
- 3.4 The "emerging" Preferred Spatial Strategy for the Local Plan for Slough was reported to the Planning Committee meeting on 1st November 2017 when it was approved subject to further testing and consideration.

The emerging Preferred Spatial Strategy sets out following five elements:

- Delivering major comprehensive redevelopment within the "Centre of Slough";
- Selecting other key locations for appropriate development;
- Protecting the built and natural environment of Slough including the suburbs;
- Accommodating the proposed third runway at Heathrow and mitigating the impact;
- Promoting the northern expansion of Slough in the form of a "Garden Suburb";

- 3.5 A update report went to Planning Committee on the 21st February 2018 which identified the Strategic housing sites that will be needed to implement the Spatial Strategy and an interim Sustainability Appraisal of the emerging Preferred Spatial Strategy.
- 3.6 The current Local Plan work streams include:
- 3.7 Following the publication of the Airports National Policy Statement by the Secretary of State for Transport in June 2018 we have been working on how we can accommodate the proposed growth at Heathrow. We have produced an Emerging Spatial Strategy for Colnbrook and Poyle which sets out our planning principles for the development of the area, if the proposed third runway at Heathrow goes ahead. This will feed into the forthcoming consultation on the proposed third runway which will be carried out by Heathrow Airport.
- 3.8 Work on the Centre of Slough Strategy has commenced. This will establish the framework for promoting the comprehensive regeneration of the centre, including the redevelopment of the shopping centres.

3.9A draft plan for the Slough Northern Extension in the form of a “Garden Suburb” was produced by Atkins in September 2017 and is available on our website.

3.10A Wider Area Growth study is being prepared in conjunction with the Royal Borough of Windsor & Maidenhead, South Bucks District Council and Chiltern District Council. Part 1 of the Study, which looks at the area of search for meeting unmet housing needs which was produced by PBA has been published as draft. Part 2 of the Study will be completed towards the end of the year. This will assess the development needs and potential unmet needs within this Study area and generate a series of strategic spatial options, test these options, and make recommendations for consideration in relevant Local Plans

4 The Local Plan Timetable

4.1 The Review of the Local Plan for Slough will set out the Council’s vision and objectives for the area and include all policies and allocations.

4.2 An indicative timetable, including the key milestones, is set out in the table below:

Document: Slough Local Plan	The Local Plan will set out the Council’s vision, objectives and detailed policies and allocations for future development of the Borough. This will include the level of development and location of development required.
Timescale	2016-2036
Coverage	Whole Borough
Status	Local Plan Document
Reason	The adopted Core Strategy & Policies DPD is not considered entirely up to date and need to review of the planning policies.
Chain of Conformity	The new Local Plan will need to be consistent with the NPPF
Timetable	
Arrangements for Production	Work will be undertaken by the Planning Policy Team
Management Arrangements	Member Task and Finish Group, Member workshops, Planning Committee and Cabinet. Full Council for Submission & Adoption only.
Resources	Production costs and consultation, Inquiry
Key Milestones	
Evidence Base preparation	2015 ongoing
Call for Sites consultation	January 2016
Issue and Options Consultation	January 2017
Preferred Options Consultation	February 2020

Publication	Summer 2021
Submission to the Secretary of State	Winter 2021
Independent examination	Spring 2022
Receipt of binding report	Summer 2022
Adoption	Summer 2022

5 Community involvement

5.1 Early engagement and public consultation will be carried at the Preferred Options and publication stages. These will be carried out in accordance with the Council's Statement of Community Involvement.

6 Review

6.1 Progress on the delivery of the Local Plan, allocated sites and the effectiveness of policies will be assessed and reported through the Councils' Annual Monitoring Report (AMR).

6.2 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 have introduced (as of 6th April 2018) a requirement to review Local Plans within five years of the adoption of the last local plan.

7 External Factors

7.1 The key external factor which affects the preparation of the Local Plan for Slough is the proposal for the third runway at Heathrow airport which would be partly built in Slough Borough. This could have major implications for Slough since it could result in major development in the eastern part of the borough and affect the overall strategy for the Borough. The Local Plan supports the third runway and is promoting the development that is necessary to support it. As a result we have been advised not to submit it until after the Development Consent Order (DCO) for the third runway has been determined. This is because we will want to avoid the Local Plan examination being taken over by objectors to the third runway which would be an unnecessary waste of time and resources.

7.2 The Secretary of State's decision on the third runway Development Consent Order is not expected until summer 2021. If DCO is approved then we will consult on the publication of the Local Plan in summer 2021. Then submit to the Secretary of State in winter 2021. The Local Plan examination is expected in spring 2022 and adoption in summer 2022.

7.3 The other major external factor which affects the Local Plan is the Joint Wider Area Growth Study. Progress on this is not, however, critical for the timetable for the Local Plan.

8 Resources

- 8.1 Much of the work to be undertaken on the Local Plan will be carried out using existing resources, in particular preparing policies and documents, carrying out sustainability appraisal will be carried out in house. The Scoping Report for the Sustainability Appraisal (SA) was prepared by consultants and the SA of the emerging Preferred Spatial Strategy was prepared in house. The subsequent stages of the SA will be prepared in- house.
- 8.2 In the case of consultation exercises, these are usually managed in-house using existing planning policy staff. This may involve costs due to exhibitions, meetings and publication material. This is essential to ensure effective engagement with the community.
- 8.3 Some of evidence base documents such as the Strategic Housing Market Assessment (SHMA), Functional Economic Market Area (FEMA) and Economic Development Needs Assessment (EDNA) were produced by consultants and commissioned jointly with adjoining local authorities which has saved costs. Additional resources maybe needed when preparing the evidence base.
- 8.4 The significant financial costs are associated with the later stage of plan making. This include the Planning Inspectorate charges, administration support and room hire for example.

9 Risks

- 9.1 There are a number of potential risks in producing a document such as the Local Plan. These are considered below:
- Heathrow Third Runway: is the reason for the delay in producing a final version of the Local Plan as stated above.
 - Duty to Cooperate: To respond to adjoining local authorities local plan consultations and negotiate cross boundary issues can cause delay to the programme of local plan production.
 - Changing national planning system: The planning system has changed a lot in recent years and any changes could have implication for the local plan
 - Changing national policy: If a new policy is introduced at the national level can cause issues and delay if does not conform with the proposed local planning policy.