

WELWYN HATFIELD BOROUGH COUNCIL
CABINET HOUSING & PLANNING PANEL – 21 APRIL 2016
REPORT OF THE DIRECTOR (GOVERNANCE)

LOCAL PLANS EXPERT GROUP

1 Executive Summary

- 1.1 The Government has established a Local Plans Expert Group to consider how local plan making can be made more efficient and effective.

2 Recommendation

- 2.1 That the Panel notes the recommendations of the Local Plans Expert Group.

3 Explanation

- 3.1 The Local Plans Expert Group reports that the almost unanimous criticisms of the current plan making system are: difficulty agreeing housing need; difficulties with duty to co-operate; a lack of political will; the need for too much evidence; a lack of clarity on key issues such as SHMAs and green belt; too many changes; the pass/fail nature of the examination and soundness tests; inconsistent decision-making; and a lack of guidance and support.

- 3.2 It therefore make a number of recommendations, including:

- Make it a statutory duty for local authorities to produce and maintain an up-to-date local plan.
- Emphasise that existing policies may be considered out-of-date where local authorities have not submitted a plan for examination by March 2017. The principle of 'saved policies' should be abandoned.
- A consistent methodology for defining the boundaries of and carrying out Strategic Housing Market Assessments (SHMAs). The lack of consistency leads to uncertainty and significant disagreement over housing numbers, which affects every stage of the process from consultation to examination.
- A consistent methodology for assessing the environmental capacity of an area, to determine how much development it can reasonably accommodate.
- A strengthened duty to co-operate which puts even more emphasis on local authorities to work together to meet their objective need for development. The Government should intervene by preparing joint local plan where authorities cannot co-ordinate themselves.
- Fewer and less frequent changes to the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).
- A tighter definition of the evidence needed to inform a local plan.

- Clear advice on the preparation of Sustainability Statements which audit the local plan against the NPPF, to reduce the need for complex and expensive Sustainability Appraisals.
- A definitive approach to calculate five year housing land supply and a process for Annual Monitoring Reports to be signed off by an independent examiner to verify that calculation. This will stop the issue having to be debated/challenged at planning application and appeal stages.

3.3 The Welwyn Hatfield Local Plan timetable is to submit it for public examination in late 2016 / early 2017, hence avoiding any intervention by the Government. The implementation of these recommendations would place greater emphasis on co-operation with adjoining authorities to meet the objective need for development in our housing market area. If introduced, the Council would also need to arrange an annual examination of its five year housing land supply calculation.

4 Link to Corporate Priorities

4.1 The Council's Business Plan 2015-2018 contains corporate priorities to meet the borough's housing need, help build a strong local economy, protect and enhance the environment and maintain a safe and healthy community.

5 Implications

5.1 There are a number of implications arising from this report if the proposals set out above were to be implemented, including new legal responsibilities on the Council, new financial issues to be considered as part of budget setting and new policy implications if the Government decides to change planning legislation or the National Planning Policy Framework (NPPF) in respect of local plan making.

6 Equalities and Diversity

6.1 An Equality Impact Assessment (EIA) not been carried out in connection with the recommendations in this report.

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Background Papers:

Local Plans Expert Group: Report to the Communities Secretary and the Minister of Housing and Planning (March 2016)