

Background Papers, if any, are specified at the end of the Report

Delivery DPD - Consideration of Submission Matters Falling Outside Delegated Authority

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RECOMMENDATION

Cabinet approve the Council recommended modifications to the Delivery DPD as set out in Appendix 2, paragraph 16 and Appendix 4 of this report.

Relationship to Council Objectives

The Delivery DPD once adopted will be a statutory document against which planning applications will be determined. The Delivery DPD closely relates to Council objectives:

Objective 2 - Safe, healthy and cohesive communities

Objective 3 - Conserve the environment and promote sustainability

and is the subject of a Sustainability Appraisal to ensure that the above objectives will be promoted through planning decisions.

Implications

- (i) This is a Key decision within the Forward Plan.*
- (ii) This matter is within the Policy and Budgetary Framework.*

Financial Implications

Costs for examination and adoption of the emerging Delivery DPD are funded from a combination of the Local Development Framework revenue budget and Local Development Framework Reserve. There is considered sufficient funding to complete the Delivery DPD process given the current balance of the Reserve and budget for 2014/15.

Risk Management Implications

The major risks for the Council associated with the Delivery DPD are:

- The Delivery DPD is found unsound for whatever reason at the Examination in Public – although it is considered that the*

Council has prepared a sound Plan and appropriately carried out its duty to co-operate these will be tested at the Examination in Public. Importantly the Council's evidence base will need to be kept under review and where appropriate additional evidence taken into account. Additional evidence could include representations submitted to the Council as part of the pre-Submission consultation. This report considers representations where the Head of Sustainable Development is recommending a change of substance to the Delivery DPD which will mitigate this risk further.

- *Legal Challenge – this will always be a risk as part of a DPD process however this risk has been mitigated by Council investment in a sound evidence base to support decisions and in undertaking public participation by providing local residents and other stakeholders the opportunity to engage.*
- *Financial – Resolving objections to the Delivery DPD could reduce Examination time and cost to the Council.*

Equalities Implications

As the Delivery DPD is the 'delivery' plan for the adopted Core Strategy equality implications are already inherently embedded within a strategic context. The Pre-Submission Delivery DPD has been the subject of an equalities impact assessment and this position is not changed.

Sustainability Implications

Similarly to equalities, the Core Strategy from which the Delivery DPD is drawn was the subject of a Sustainability Appraisal and Habitat Regulation Assessment. The Pre-Submission Delivery DPD has been prepared alongside a Sustainability Assessment with the outcome influencing the shape of the Delivery DPD. The Delivery DPD itself is not subject to a Habitat Regulation Assessment as this has been carried out as part of the 'higher order' Core Strategy and as this assessment did not identify any issues of concern. The changes proposed in this report are not considered sufficient to need amendments to the sustainability appraisal.

Report

- 1 Members will recall that the 11th February 2014 Cabinet approved the Pre-Submission Delivery DPD and associated documents for public consultation and submission to the Secretary of State for Communities and Local Government with the submission target date within May 2014.

- 2 The public consultation has been carried out in accordance with the Council's adopted Statement of Community Involvement and closed on 4th April.
- 3 The table below summarises an initial assessment of the representations received:

Delivery DPD Submission Consultation - 172 Representations

DDPD Part	Supporting		Commenting		Objecting		Total
	Nos.	%	Nos.	%	Nos.	%	
Paragraphs	33	10.34	42	13.17	244	76.49	319
Policies	63	24.80	28	11.02	163	64.17	254
Policies Map	55	23.21	36	15.19	146	61.60	237
IDS	3	27.27	2	18.18	6	54.55	11
SA	1	10.00	6	60.00	3	30.00	10
Other	8	7.92	34	33.66	59	58.42	101
Total	163	17.49	148	15.88	621	66.63	932

DDPD = Submission Delivery Development Plan Document

IDS = Submission Infrastructure Delivery Schedule

SA = Submission Sustainability Appraisal

- 4 Cabinet delegated authority to the Head of Sustainable Development to consider duly made objections as part of the public consultation so that if the Head of Sustainable Development considers an objection raises a matter or matters which would lead to a recommended change of substance to the Delivery DPD, that officers prepare a report on such matters for Cabinet to consider before Submission.
- 5 Three matters such matters have been identified and are set out in this report under sub-headings below. The recommended changes will not change the Submission Plan but will be put to the Examination as Council recommended modifications to the Plan.

Housing Supply

- 6 Subsequent to the Cabinet decision to approve the Submission Delivery DPD the Government published the National Planning Policy Guidance (PPG) to accompany the National Planning Policy Framework. This is now a material consideration for planning matters. The PPG is divided into sections and Paragraph 37 of 'Housing and Economic Land Availability Assessment (Methodology – Stage 5: final Evidence Base)' states:

“How should local planning authorities deal with housing for older people?”

..... Local planning authorities should count housing provided for older people, including residential institutions in Use Class C2, against their housing requirement.”

- 7 Although there are no specific representations on the above there are a number of representations relating to the Delivery DPD housing supply. As the Government has now said that housing for older people “*should*” be counted as part of the housing supply, modifications are recommended to the Delivery DPD to take this into account.
- 8 Older people housing does form a significant part of housing supply in Chiltern and as members will recall (Policy CS12 of the Core Strategy and the Specialist Housing section of the Delivery DPD, pages 32 and 33) will form a significant part of housing need over the plan period.
- 9 The net result of now being able to count older people housing has increased the housing supply in the Delivery DPD by 375 dwellings (43 net new dwellings completed between 1st April 2006 and 31st March 2013 and 332 dwellings with extant planning permission as at 31st March 2013). Appendix 1 contains a table setting out planning commitments for housing for older people including residential institutions.
- 10 The recommended modifications as a result are set out in Appendix 2.
- 11 The result of the proposed modifications in Appendix 2 is that delivery of housing supply now exceeds the lower housing target figure in the Core Strategy (2,650 dwellings) based on completions and commitments as at 31st March 2013 and will exceed the upper Core Strategy housing target (2,900 dwellings) with the delivery of the Delivery DPD housing proposal sites. Supply will further be enhanced with the delivery of currently unidentified housing sites from sources identified in Table 3 of the Delivery DPD. New older peoples housing above those already committed will be a further additional source of future housing and this is also reflected in the modifications.

Housing Proposal H15: The Glebe, Pretwood

- 12 This housing proposal site, estimated to provide a gross 9 additional new dwellings, is currently an unimplemented housing proposal site in the adopted Local Plan for Chiltern District.
- 13 There has been in total 10 objections to this proposal site, 7 from local residents and one each from Great Missenden Parish Council, Chilterns AONB Conservation Board and The Prestwood Society. The local resident objections include some part landowners. As such all of this site at this current point in time cannot be delivered due to landowner constraints and is therefore recommended that this site is deleted as a specific proposal.

- 14 Deletion of this site will not cause any housing supply issues for the Council as it was for only 9 dwellings and as set out in Paragraph 11 above Chiltern has a comfortable housing supply to meet the Core Strategy housing target range. The Council also has a comfortable 5-year housing supply where the supply is actually 8.33 years against the higher range and 9.60 years against the lower range of the Core Strategy.
- 15 Deletion of the proposal site from the Delivery DPD also does not mean that the site cannot be bought forward for housing in the plan period in part or full if the landowners position changes. Although proposed to be deleted the site will form part of an update Strategic Housing Land Availability Assessment (SHLAA).
- 16 As a result the following modifications are proposed:
- a) Delete the proposal from Table 2 of the Delivery DPD and amend the total figure from 256 to 247.
 - b) Carry out corresponding amendment to Table 4.
 - c) Amend the Policies Map Changes to delete the proposal from both the adopted Local Plan and Delivery DPD.
 - d) Amend the SHLAA housing range in Table 3 (middle column under the SHLAA housing source) from '739 and 1,058' to '748 and 1067' to reflect The Glebe site no longer being a housing proposal site and now being a SHLAA site.

Gypsy, Travellers and Travelling Showpeople

- 17 This part of the Delivery DPD has received the highest number of representations, mainly but not all objections. Most of the representations relate to the proposed sites but this report only considers Policy DH5, its supporting text and a correction to Proposal Site TS1 in Table 6. There are no other recommended changes to proposal sites.
- 18 Appendix 3 sets out a summary of representations on Policy DH5 plus representations on proposal sites that also relate in part to Policy DH5. The table includes a summary of officer comments and recommended actions.
- 19 Members will note that representations include those from Aylesbury Vale District Council, Wycombe District Council, South Bucks District Council and Buckinghamshire County Council. Under the Duty to Co-operate the Council is required to have on-going and effective co-operation with adjacent local authorities and given the concerns raised by these councils officers have engaged further with adjacent local planning authorities, including Three Rivers District Council and Dacorum Borough Council who did not raise any issues of concern against Policy DH5.
- 20 As a result of on-going discussions and co-operation with adjacent local planning authorities and consideration of the other representations

summarised in Appendix 3, recommended modifications are set out in Appendix 4.

Background papers:

Cabinet Report on the Delivery DPD, 11th February 2014 and its background papers
Representations on the Delivery DPD public consultation 2014
NPPF Planning Policy Guidance section referred to above.

Appendices

1. Housing Commitments Data Relating to Older People Accommodation Not Previously Counted as Dwellings (as at 31st March 2013)
2. Proposed Delivery DPD Modifications Relating To Housing Supply
3. Summary of Representations relating to Policy DH5, Comments and Recommended
4. Proposed Delivery DPD Modifications Relating To Gypsy, Travellers and Travelling Showpeople