



## **Responses to Scrutiny Review Recommendations**

### **Report to Overview Committee**

#### ***Portfolio Holder: Councillor D. Pulk***

Title of the review:

**Referral of the Aligned Core Strategy to Policy Review Scrutiny Committee as part of the formal consultation process.**

Date review completed: At the Special Policy Scrutiny Committee 6<sup>th</sup> December 2012

Chair of the committee: Councillor Colin Powell

Officer supporting the review: Jane Ansell

#### **Guidance**

The recommendations from the Policy Review Scrutiny Committee have been considered by Cabinet and a written response to the recommendations from the responsible Cabinet Member to the Overview Committee is required within two months of the date the review was presented to Cabinet.

If you need any further assistance in completing this response please contact the Member's Services Team.

**Additional note from the Aligned Core Strategy report of the Planning Policy Manager to Cabinet on 10<sup>th</sup> Jan 2013 (item 32 page 157 of the Cabinet papers)**

These issues noted by Scrutiny have already been considered as they have been raised by other consultees as part of the policy preparation process at the Publication Version stage. Cabinet is asked to consider the comments made by Scrutiny and decide whether any further changes to the Aligned Core Strategy are required in light of these comments.

**Recommendation 1**

To recommend that Cabinet reconsiders whether it wishes to give weight to the inclusion of windfall provision.

To be completed after the report has been presented to Cabinet

Response from the Cabinet Member to Overview

Date

(Please tick) Recommendation accepted ☐ Partly accepted ☐ Do not accept ☒

Please give reason below

The National Planning Policy Framework (NPPF) allows for the inclusion of windfall figures 'if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply' (para 48). Whilst there have been windfall sites in the Borough, the consistency of these has been unreliable. In addition, the Strategic Housing Land Availability Assessment (SHLAA) process, where land owners and potential developers are asked to identify sites likely to come forward for development in the short and medium term, and from which assumptions about future housing delivery are made, effectively takes into account these sites which would otherwise previously been considered as 'windfalls'. However, beyond a medium term timescale, in excess of ten years, predictions about the delivery of SHLAA sites become less certain and on that basis, a small allowance of 40 dwellings per year has been made in the Core Strategy.

On this basis, the Council has subsequently made the decision to submit the Core Strategy.

**Recommendation 2**

To register concern that some of the changes listed in the Schedule of Changes would appear to weaken the Council's position against developers. For example:

- Schedule of Changes (policy 1.1) concerning the viability and feasibility of development proposals complying with climate change issues;
- Schedule of Changes (paragraph 3.6.9) concerning the sequential approach to retail development; and

- Schedule of Changes (policy 17.3) concerning the impact of development on wildlife and biodiversity sites.

**Part 1** – to be completed after the report has been presented to Cabinet

Response from the Cabinet Member to Overview

Date

(Please tick) Recommendation Accepted ☐ Partly Accepted ☐ Do not accept ☒

The Core Strategy is a pro-growth document, which has to comply with national guidance set out in the NPPF, in particular relating to the presumption in favour of sustainable development. Therefore, policies should enable, not stifle development, except where what is being proposed is unsustainable. The policies in question reflect this, and have been drafted to ensure that they are capable of being found sound at examination, as well as being robustly applied when planning applications are being considered.

**Recommendation 3**

To recommend that consideration be given to the deleted policies listed in Appendix E of the Publication Version of the Aligned Core Strategies (pages 208 – 214), where appropriate, to explore whether the content should be included in a future generic development control policies development plan document or supplementary planning document.

**Part 1** – to be completed after the report has been presented to Cabinet

Response from the Cabinet Member to Overview

Date

(Please tick) Recommendation Accepted ☐ Partly Accepted ☐ X Do not accept ☐

Please give reason below

The recommendation is noted. The policies in question were either not 'saved' when the Local Plan was checked for compliance with the extant Policy Guidance in 2008/09, are proposed to be saved when the Core Strategy is submitted, or are now covered by other guidance, including the NPPF, and therefore are not required.

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**Recommendation 4**

To inform the Cabinet that in noting the report the committee expressed its disappointment at the lack of time available to undertake a comprehensive review.

**Part 1** – to be completed after the report has been presented to Cabinet

Response from the Cabinet Member to Overview

Date

(Please tick) Recommendation Accepted ☐ Partly Accepted ☐ Do not accept ☐ X

Please give reason below

The Core Strategy has been the subject of an extensive process leading up to the current version. It has undergone four major rounds of consultation and at each stage of this members have been individually consulted. A working group of the Policy Review Scrutiny Committee has been meeting since early summer 2012 to look at 'the impact of the Localism Act on Planning and Housing Strategy' and this series of meetings has considered elements of the Aligned Core Strategy.

Prior to this series of meetings, Scrutiny has also been made aware of the Aligned Core Strategy through the Carbon Footprint Scrutiny Working Group, with meetings taking place between September 2010 and April 2012.

In tandem with the Scrutiny process, the former Local Development Framework Steering Group (set up in January 2006) had an important role in the preparation of the Aligned Core Strategy and considered both the Issues and Options and Option for Consultation documents.

On this basis, the Council has subsequently made the decision to submit the Core Strategy.