

# **St Albans City and District Local Plan**

## **2020-2036**

### **Inspectors Initial Questions**

#### **Introduction**

This note flags up some initial questions we have that would benefit from early clarification. Dealing with these matters now should save time later. In answering these questions can the Council consider whether it might be necessary to advance any potential main modifications to the Plan.

#### **Outstanding information/evidence**

1. We note from the Council's letter accompanying the submitted Plan that work is still taking place on self-assessment of the soundness and legal compliance of the plan; the Habitats Regulation Assessment, the Equalities Impact Assessment; the Annual Monitoring Report; and the Duty to Co-operate Statement. Can you please confirm when these will be available for submission. Further initial questions may arise once we have received these documents.

#### **Legal Compliance**

2. Has the Plan been prepared in accordance with the Local Development Scheme?
3. Has the Plan been prepared in general accordance with the Statement of Community Involvement and public consultation requirements?
4. Have any significant concerns been expressed by interested parties about whether the Council has complied with the Duty to Cooperate in the preparation of the Plan?
5. Have any significant concerns been expressed by interested parties about the Sustainability Appraisal?
6. Have any significant concerns been expressed by interested parties about the Habitat Regulations Assessment?
7. Have any concerns been expressed about the Equality assessment?

#### **Housing**

8. [Planning Practice Guidance](#) (Paragraph: 010 Reference ID: 2a-010-20190220) considers when it might be appropriate to plan for a higher housing need figure than the standard method indicates. It advises that "there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates.

This will need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated (and then translated into a housing requirement figure for the strategic policies in the plan). Circumstances where this may be appropriate include, but are not limited to

situations where increases in housing need are likely to exceed past trends because of:

- growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);
- strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or
- an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;

There may, occasionally, also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently-produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method. Authorities will need to take this into account when considering whether it is appropriate to plan for a higher level of need than the standard model suggests". Have the Council carried out such an assessment and if so where can we find it?

9. Have the Council considered whether a cap to the housing need figure is appropriate in accordance with NPPG Paragraph: 004 Reference ID: 2a-004-20190220.
10. NPPG Paragraph: 008 Reference ID: 2a-008-20190220 advises that strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. Has this been done and why is the Plan start date 2020?

### **Employment Land**

11. Does the Plan set out what the expected future level of need for employment land is over Plan period? If so where is this and what evidence is it based upon?

### **Retail**

12. Does the Plan set out what the expected future level of demand for retail floorspace is over Plan period? If so where is this and what evidence is it based upon?

### **Gypsy and Traveller sites**

13. Does the Plan set out anywhere the level of need for gypsy and traveller and travelling showpersons pitches, based on the recent GTAA?

### **Infrastructure**

14. Do the Council have an up to date Infrastructure Delivery Plan? If so, can you direct us to it please.

## **Viability**

15. Have the Council undertaken a whole plan viability assessment of the submitted Plan to ensure that the policies are realistic and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan? If so, can you direct us to it please.

## **Green Belt**

16. In carrying out a Green Belt review, the first stage is the evidence gathering and assessment that leads to an in-principle decision by the LPA that review of the Green Belt boundary is necessary to help meet development needs in a sustainable way. The second stage determines which site or sites would best meet the identified need having regard to Green Belt harm and other relevant considerations. It is only after satisfactory completion of the two stages that exceptional circumstances are capable of being fully demonstrated. Can you please point us to where this has been done and where the exceptional circumstances are set out. Are the new boundaries clearly shown on the policies map or are they 'draft'? A Green Belt topic paper would be helpful in allowing us to understand this matter further.

## **General Matters**

17. The Plan submitted for examination appears to be the one that was consulted upon. Can you please confirm if that is the case?
18. Do the Council have a running list of draft Main Modifications? If so, can you please provide a copy and place it on the examination website.
19. PART 4, paragraph 8(2) of The Town and Country Planning (Local Planning) (England) Regulations 2012 says "A local plan or a supplementary planning document must contain a reasoned justification of the policies contained in it" (my emphasis). Is there a reason why this Plan contains no reasoned justification for the policies?
20. The Planning and Compulsory Purchase Act 2004 requires the local planning authority to have regard to the sustainable community strategy in preparing a local plan. CD008 is the Council's Community Strategy from 2007 up to 2021. Is there an more up to date version? Has the Council had regard to the Sustainable Community Strategy in its preparation of the Plan? Where is the evidence for this?

## **Conclusion**

21. An early response to the above queries would be appreciated. We are keen that the above matters are resolved, in so far as they can be, promptly in order to ensure that the examination is not unduly delayed. We therefore request a response by the close of play on 24 May 2019. Also, as we are sure you are aware it is difficult to begin to organise hearings until the outstanding documents you refer to in your submission letter have been received by us and we have had time to consider them.

22. If you have any queries regarding the above, then we can be contacted via the Programme Office. A copy of this note and the Council's response should be placed on the examination website.

*Louise Crosby & Elaine Worthington*

Planning Inspectors

17 April 2019