

# Gloucester City Council

|                         |   |                                 |                          |
|-------------------------|---|---------------------------------|--------------------------|
| <b>Meeting:</b>         | <b>Overview and Scrutiny</b>  | <b>Date:</b>                    | <b>2 September 2019</b>  |
|                         | <b>Cabinet</b>  |                                 | <b>11 September 2019</b> |
|                         | <b>Council</b>  |                                 | <b>26 September 2019</b> |
| <b>Subject:</b>         | <b>Gloucester City Plan – Pre-Submission Publication</b>  |                                 |                          |
| <b>Report Of:</b>       | <b>Cllr Andrew Gravells – Cabinet Member for Housing and Planning</b>   |                                 |                          |
| <b>Wards Affected:</b>  | <b>All</b>  |                                 |                          |
| <b>Key Decision:</b>    | <b>Yes</b>  | <b>Budget/Policy Framework:</b> | <b>Yes</b>               |
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| <b>Appendices:</b>      | <b>1. Pre-Submission Gloucester City Plan</b>   |                                 |                          |

## 1.0 Purpose of Report

- 1.1 To agree the Pre-Submission Gloucester City Plan for publication and submission to examination to enable the Council to progress the Gloucester City Plan to adoption to help meet identified growth needs.

## 2.0 Recommendations

### 2.1 Overview and Scrutiny Committee is asked to:

1. Consider the information contained in the report and make any recommendations to the Cabinet.

### 2.2 Cabinet is asked to:

1. Recommend to Council that it approves the Pre-Submission Gloucester City Plan for Publication under the Town and Country Planning (Local Planning) (England) Regulations 2012 as the version of the Gloucester City Plan proposed to be submitted to the Secretary of State for independent examination.

### 2.3 Council is asked to:

1. Approve the Pre-Submission Gloucester City Plan for Publication under the Town and Country Planning (Local Planning) (England) Regulations 2012 as the version of the Gloucester City Plan proposed to be submitted to the Secretary of State for independent examination.
2. Delegate authority to the Head of Place, in consultation with the Cabinet Member for Housing and Planning, to make minor amendments to the Pre-Submission Gloucester City Plan in relation to any grammatical and factual errors in advance of Publication.

### **3.0 Background and Key Issues**

- 3.1 Following on from the adoption of the Joint Core Strategy (JCS) in December 2017, the Gloucester City Plan (GCP) has now been progressed to the next stage of the process. The JCS provides strategic level planning policies, including housing and employment land requirements and large land allocations. The GCP sits underneath the JCS, further to those strategic policies and delivering it locally and addressing local issues and opportunities. Together they form the Local Plan for Gloucester City and provide full planning policy coverage.
- 3.2 The GCP has been informed by four rounds of public consultation, engagement with officers, external stakeholders and statutory consultees such as the Environment Agency, Natural England and Severn Trent.
- 3.3 It is underpinned by a significant amount of technical evidence, including a Strategic Flood Risk Assessment, Highways Assessment, Infrastructure Delivery Plan, Viability Appraisal, Sustainability Appraisal and Habitats Regulations Assessment.
- 3.4 The contents of the GCP have been considered and informed by the Planning Policy Member Working Group. This cross-party group was created in July 2018 following the removal of Planning Policy Sub-Committee and has played an active role in shaping and improving the vision, key principles and policies.

#### **What does the plan contain?**

##### ***Vision and key principles***

- 3.5 The vision and key principles reflect the Council Plan (2017 – 2020), City Vision and other corporate plans and strategies, including the Regeneration and Economic Development Strategy (2016 – 2021). They also reflect the issues and opportunities that exist within the city, where they can be addressed through planning policy.

##### ***Development management policies***

- 3.6 The GCP includes development management policies that will positively influence development proposals and protect and enhance the natural and built environment. They include policies to support the delivery of purpose-built student accommodation, self-build and custom house building, deliver economic growth, create safer and better-quality places to live, ensure quality living environments for existing and future residents and tackle climate change.
- 3.7 Importantly, the GCP seeks to take the JCS affordable housing policy further, providing clarity to developers on what is expected of them. The position of the JCS is that Gloucester can secure 'at least' 20% affordable housing on development sites over 11 dwellings and that the viability of a site may enable additional levels of affordable housing to be delivered. This was on the basis that there are different 'value areas' within the city with different levels of viability. Through the GCP, additional evidence has been prepared through the 'Viability Appraisal' to analyse this further. It looks at different options; a blanket percentage requirement; the identification of value 'zones' with different percentage requirements; and a percentage based on the size of site. The analysis concluded that the most robust

approach would be the identification of a blanket approach, and that this should be set at 25% in order to maintain viability.

- 3.8 The plan is particularly strong in supporting healthier communities, for example in encouraging people to lead more active and healthier lifestyles through access to nature and green infrastructure, limit opportunities for hot food takeaways and prevent falls from taller buildings. The latter example requires developers to put in place measures to prevent measures on buildings over 12 metres to prevent attempted suicide and to the best our knowledge, is the first in the UK.
- 3.9 The City Council recently declared a climate change emergency. The GCP does everything it can (together with policies already set out in JCS) to support climate change adaptation and mitigation. This includes for example policies to ensure new development is located to avoid flood risk and take opportunities to improve flood risk from fluvial and pluvial sources, that opportunities are realised to reduce the need to travel by the private car through active travel and the use of public transport, and to ensure the delivery of green infrastructure and water efficiency standards.

### ***Development needs and site allocations***

- 3.10 Gloucester has a limited supply of land for development and the role of the GCP is to identify site allocations that can contribute to the delivering development needs, making the most efficient use of finite land. Sites have been identified through a variety of sources, including ongoing and targeted ‘call for sites’, the brownfield register and a review of internal land assets. In total, there are 22 site allocations for residential, employment, mixed-use and community development.
- 3.11 In terms of housing, the adopted JCS identifies a need of 14,359 new homes for Gloucester between 2011 and 2031. Approximately 34% of these will be delivered through strategic allocations in Tewkesbury Borough. Most of the remainder have been or will be delivered within the administrative area of Gloucester City, including new homes constructed since 2011, those with planning consent / currently under construction, and those allocated in the GCP. There is a shortfall of 708 dwellings, which is being taken forward through the JCS Review, which has already commenced. Full details are provided below.

|   | <b>Gloucester City</b> | <b>Tewkesbury Borough</b> |
|---|------------------------|---------------------------|
| JCS Strategic allocations (Tewkesbury Borough)    | -                      | 4,895                     |
| Winnycroft Strategic allocation (Gloucester City) | 620                    | -                         |
| Completed   | 3,993                  |                           |
| Planning consents                                 | 2,339                  | -                         |
| ‘Windfall allowance’                              | 640                    | -                         |
| Gloucester City Plan allocations                  | 972                    | -                         |
| <b>TOTAL</b>                                      | <b>13,459</b>          |                           |

**Table 1: Housing supply 2011 – 2031, Gloucester City**

- 3.12 From an employment land perspective, the JCS identified a figure of 192 hectares across the three local authority areas. A substantial amount of this is identified at the strategic allocations, with an additional 14.6 hectares identified through employment / mixed-use allocations within the GCP.

3.13 The GCP also makes an allocation for a multi-sports and community hub at Blackbridge, in response to the recommendation in the City Council's adopted Playing Pitch Strategy.

#### **4.0 Asset Based Community Development (ABCD) Considerations**

4.1 The GCP provides a policy framework to inform future planning decisions.

#### **5.0 Alternative Options Considered**

5.1 Together with the JCS, once adopted, the GCP will form the Local Plan for Gloucester City. The JCS sets out an urban focussed strategy, maximising the urban capacity of the city where reasonable to do so, with sustainable urban extensions. This strategy was tested against reasonable alternatives at the JCS examination, found sound and subsequently adopted. The role of the GCP is to deliver this locally.

5.2 Each of the site allocations has been tested through the plan-making process to ensure that the site has been allocated for the most appropriate use, having regard to identified needs and the character of the wider area.

5.3 In relation to the affordable housing policy, three different options were tested to ensure the most robust option was taken forward. This is explained in more detail in paragraph 3.7 above.

#### **6.0 Reasons for Recommendations**

6.1 Following the adoption of the JCS in December 2017, the GCP has now been progressed to the final stage in its preparation, Pre-Submission, before Submission to the Planning Inspectorate for independent examination. The Pre-Submission GCP has been informed by several rounds of public consultation, a substantial evidence base, engagement with statutory consultees and internal expertise and in the opinion of officers, meets the 'tests of soundness' and is 'legally compliant'.

#### **7.0 Future Work and Conclusions**

7.1 Once approved by Council, the Pre-Submission GCP will be Published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for consultation. This will last for a six-week period, after which the Plan will be submitted to the Planning Inspectorate for Examination in Public.

7.2 In terms of the identified shortfall of sites in the latter part of the plan period, this is being taken forward by the Joint Core Strategy, which has already commenced. A review is also underway in relation to retail and city/town centres and it is anticipated this will be accelerated in advance of the wider JCS review.

#### **8.0 Financial Implications**

8.1 The Examination in Public has financial costs. The Planning Inspectorate charge for their time and it will be necessary to employ legal expertise and technical support. Costs are somewhat uncertain and depend on the nature and length of discussions however, based on a review of recent experience of other Local Plan examinations,

a cost in the region of £100,000 is anticipated. These are being factored the budget requirements of City Growth and Delivery.

## **9.0 Legal Implications**

- 9.1 The Council is required to have an up to date local plan (development plan documents) for its area and must prepare it in accordance with legislative requirements, including ensuring the compliance with the Statement of Community Involvement, and must contain a reasoned justification for the policies contained in it.
- 9.2 The development plan for Gloucester City's administrative area is made up of the development plan documents which have been adopted or approved in relation to its area and any neighbourhood development plans which have been made in relation to that area.
- 9.3 If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted or made (as the case may be).
- 9.4 Legislation requires that where a development plan document contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy.
- 9.5 Under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 before submitting a local plan to the Secretary of State for independent examination the Council must make a copy of all the proposed submission documents and a statement of representations procedure available via: their website; their principal office and such other places within their area as they consider appropriate; for a period of at least 6 weeks.
- 9.6 The proposed submission documents are to be the local plan which the Council proposes to submit to the Secretary of State; a submission polices map where the local plan if adopted would result in changes to the adopted polices map; a sustainability appraisal report of the local plan; a statement setting out the consultations already undertaken prior to the regulation 19 publication stage; a summary of the main issues raised by those representations and how those main issues have been addressed in the Pre-Submission local plan; and such supporting documents as in the opinion of the local planning authority are relevant to the preparation of the local plan.
- 9.7 The statement of representations procedure must include the date by which representations about the local plan must be received and the address to which representations about the local plan must be made (representations may be made in writing or by way of electronic communications).
- 9.8 In addition to the proposed submission documents, on submission for independent examination the Council must also send a statement setting out as regards the regulation 19 Pre-Submission publication, the number of representations received in accordance with the representations procedure, copies of those representations and a summary of the main issues raised in those representations.

## 10.0 Risk & Opportunity Management Implications

- 10.1 A risk register has been completed in support of this report. Potential risks and mitigations are as follows:

| Risk   | Mitigation   |
|--|--|
| Gloucester City Plan not approved by Council for Publication and Submission  | The vision, key principles, development management policies and allocations within the Plan have been considered by the cross-party Planning Policy Member Working Group during preparation and will be considered by Overview and Scrutiny Committee in advance of Council. The contents reflect the Council Plan and other plans and strategies. |
| Gloucester City Plan found unsound at Examination in Public  | Officers have worked closely with colleagues and One Legal to ensure the contents of the plan meet the 'tests of soundness' and are legally compliance. The examination in public process allows for changes to be made as 'main modifications'; these are changes necessary to make the plan sound.   |
| Under-resourcing in terms of people and budget to progress the Gloucester City Plan through Examination in Public. | Budget forecasts have been made, with contingency, and fed into the annual budgeting process.  |

## 11.0 People Impact Assessment (PIA):

- 11.1 A PIA screening has been undertaken and it concludes that the Pre-Submission GCP would have a positive impact on all protected characteristics identified.

## 12.0 Other Corporate Implications

### Community Safety

- 12.1 The GCP includes policies to ensure the developments are designed in such a way to as to maximise opportunities to create safe environments.

### Sustainability

- 12.2 The Gloucester City Plan must go and has gone through a Sustainability Appraisal/Strategic Environmental Assessment process and Habitats Regulation Assessment, which considers the environmental, social and economic outputs of the Plan and ensures that development meets the needs of both present and future generations.

### Staffing & Trade Union

- 12.3 None

## **Background Documents:**