

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Planning Committee **DATE** 1<sup>st</sup> December 2011

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**WARD(S):** All

### **PART I** **FOR DECISION**

#### **LOCAL DEVELOPMENT FRAMEWORK: ANNUAL MONITORING REPORT 2010/11 AND FUTURE OF MONITORING AND MINERALS AND WASTE PLANNING.**

##### 1. **Purpose of Report**

The purpose of the report is to obtain Members approval of the seventh Annual Monitoring Report (AMR) for submission to the Secretary of State by 31<sup>st</sup> December 2011 in accordance with the requirements of the Planning and Compulsory Purchase Act 2004. It also provides an update on the future of monitoring and Minerals and Waste planning in Slough.

##### 2. **Recommendation**

The Committee is requested to resolve:

- That the Local Development Framework Annual Monitoring Report 2010/11 be approved for submission to the Secretary of State by 31<sup>st</sup> December 2011 and subsequently published.
- That the Council should continue to produce and publish future monitoring reports that are focused upon local needs as well as meeting statutory requirements.
- That the future arrangements for Minerals and Waste planning and monitoring in Slough are noted.

##### 3. **Community Strategy Priorities**

3.1 The Local Development Framework is an important spatial element of the Community Strategy and will help to contribute to the following emerging priorities:

- **A Cleaner, Greener place to Live, Work and Play**
- **Prosperity for All**

#### 4. **Other Implications**

##### (a) Risk Management

There are no specific issues directly arising from this report

##### (b) Human Rights Act and Other Legal Implications

It is considered that there are unlikely to be any significant implications in relation to the Human Rights Act.

##### (c) Equalities Impact Assessment

The Annual Monitoring Report is a factual document and not a Policy document therefore an Equalities Impact Assessment is not necessary.

##### (d) Workforce

There are no workforce issues arising from this report.

#### 5 **Supporting Information**

##### Introduction

- 5.1 The Planning and Compulsory Purchase Act (2004) required all Councils to prepare an Annual Monitoring Report (AMR) at the end of each financial year and submit it to the Secretary of State for approval the following December. The Localism Bill has, however, proposed changes to the way in which monitoring will be carried out in the future, the implications of which are set out below.
- 5.2 The Annual Monitoring Report forms an important part of the on-going monitoring work that the Planning Department carries out in order to assess the effectiveness of its policies and the performance of the development plans.
- 5.3 The results of the AMR for this year have been summarised below. The key point to emerge from the latest monitoring is that the level of house building in Slough remains low. There were 249 dwellings completed in 10/11 which is slightly less than the 275 dwellings built in the previous year and less than half the rate in previous years. This was due to the impact of the downturn in the economy and the general decline in house building activity rather than a lack in supply of sites. Whilst it is not predicted that the number of completions will pick up in the current year, there are some large housing sites in the pipe line.
- 5.4 This means that the housing trajectory still shows that Slough has a five, ten and fifteen year supply of housing land and, due to the high number of completions since 2006, we are still on track to meet our target of 6,300 before 2026.
- 5.5 The report also highlights the progress that has been made in producing an up to date development plan. Slough has an adopted Core Strategy and Site Allocations document which means that it has a well established policy framework for the future. Only around half of local authorities nationally have adopted Core Strategies and few have adopted DPDs for detailed policies or allocations.
- 5.6 As a result of the publication of the Localism Bill the future of monitoring will change. Under the new regulations there will still be a statutory duty to produce monitoring report for local people but they won't have to be submitted to the Secretary of State. The local

authority will have more flexibility to decide what goes into the report and be able to publish them on the website.

- 5.7 There is still a statutory requirement to monitor a number of indicators. The government has published a draft “Single List” of data requirements which retains all of the returns that currently made to the government. Once the final list is published there may be a few more additional indicators relating to things like Neighbourhood Planning and the Community Infrastructure Levy.
- 5.8 It should also be noted that as part of the budget saving process, the Council has taken over the monitoring work since April 2011 that was previously done by the Joint Strategic Planning Unit. This will include the preparation of the Annual Commitment documents and housing returns to Department of Communities and Local Government.
- 5.9 The Joint Strategic Planning Unit also used to publish a separate Annual Monitoring Report for Minerals and Waste. This has now been incorporated into the current AMR.

#### Annual Monitoring Report (AMR) 2010/11

- 5.10 The Annual Monitoring Report is a crucial part of the ‘feedback loop’ in the policy making process. It reports the progress of planning policies and key documents against national core output indicators (COIs). To maintain consistency with previous AMRs we have continued to report on all the Core output indicators a number of local monitoring indicators.
- 5.11 The statistical basis for the report is the financial year from April 2010 to March 2011, but additional information has been included about progress since March this year.
- 5.12 This is the seventh report that we have produced and it provides the opportunity to review how well we are progressing with the Local Development Framework (LDF). The report assesses the effectiveness of existing policies and outlines the progress made in the implementation of the LDF. A copy of the AMR for 10/11 can be emailed to Members on request.
- 5.13 The main content of the document is as follows:
- Introduction to the Borough, including key contextual characteristics, issues and challenges facing the area;
  - Progress in the preparation of local development documents against the timetable in the Local Development Scheme;
  - Extent to which saved policies from the Local Plan for Slough and Core Strategy 2006-2026 are being implemented;
  - The extent to which development meets the National Core Output indicators and Local Output indicators, which reflect local priorities and concerns;
  - The identification of any trends and changes from the previous AMR;
  - A housing trajectory which demonstrates to what extent the housing allocation is likely to be met;
  - Extent to which the SPZ is achieving its purpose;

- 5.14 The AMR is divided into core subject areas such as housing, employment and retail, for which monitoring data is available. Objectives for each topic area are identified, and appropriate policies linked to these are set out.
- 5.15 The key results from this year's Monitoring Report can be summarised as follows:

#### Local Development Scheme (LDS)

- 5.16 The Annual Monitoring Report must contain information on whether the timetable and milestones for the production of development documents specified in the Local Development Scheme are being achieved.
- 5.17 The LDS sets out a project plan and timescales for producing the various documents that collectively will form the Local Development Framework.
- 5.18 In May 2009 the Council produced a third revision of the LDS to cover the period April 2009 to March 2012. Updated information on progress on the LDF has been included. The documents specified in the LDS (2009-2012) and their progress against the milestones for the period April 2010 to March 2011 are detailed below:
- 5.19 A separate LDS was produced for Minerals and Waste planning but this is no longer relevant following the abolition of the Joint Strategic Planning Unit which is explained elsewhere in this report.

#### The Site Allocations DPD

- 5.20 The production of the Site Allocations DPD was in accordance with the timetable set out in the Local Development Scheme. This included the publication of the draft Publication Version for public comment in November 2009 and the submission of the Document to the Secretary of State in February 2010. The Hearing was subsequently held in June 2010 and the DPD was found 'sound' in August 2010, enabling it to be adopted in November 2010.

#### Sustainable Design and Construction Supplementary Planning Document SPD

- 5.21 The title of the SPD has been modified to Sustainable Design SPD. Work has begun on the preparation of the SPD. This will contain sections on designing out crime, sustainable design and a Town Centre urban design framework. It is envisaged that a draft of the document will be the subject of public consultation in summer 2012.

#### Residential Extensions Guidelines SPD

- 5.22 The Residential Extensions Guidelines Supplementary Planning Document (RESPD) was adopted on 11<sup>th</sup> January 2010. The new guidelines have been produced in light of increasing pressures for householders to build larger and more dominant extensions, and the impact of such extensions on both the general street scene and residential amenities within established residential areas of Slough.
- 5.23 The SPD is assisting the development control process in assessing applications for house extensions through a series of guidelines that include criteria for acceptable size, siting and design. This has given more certainty and clarity to applicants and agents

proposing and submitting householder applications about what is acceptable, and helped improve the transparency and consistency of decision making.

### Appeal Decisions

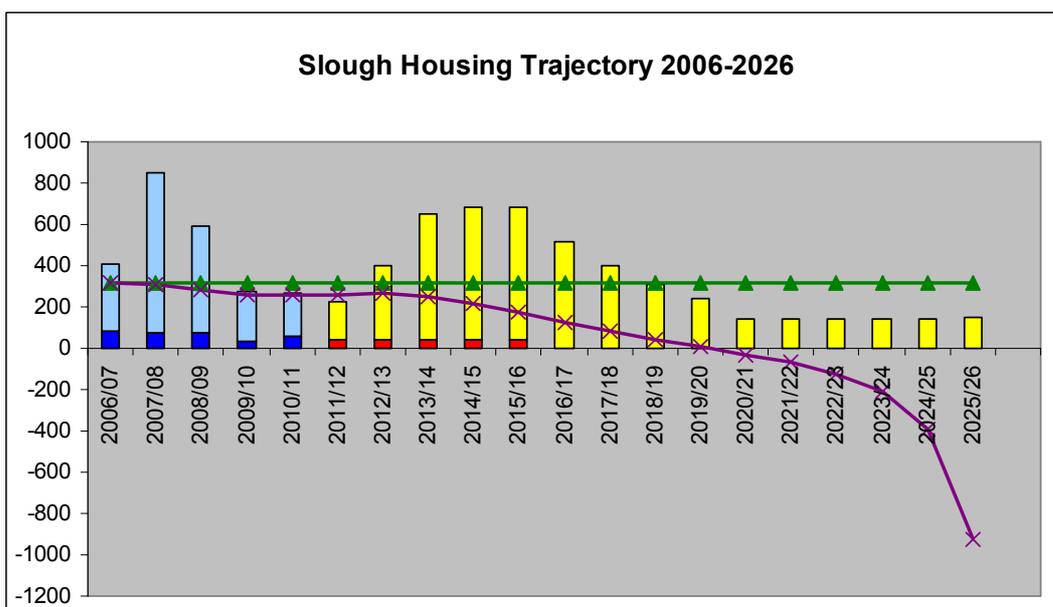
- 5.24 The monitoring report also has to look at whether there are any lessons to be learnt from appeal decisions. There were 34 appeals against the refusal of planning applications in Slough in the 12 months from April 2010.
- 5.25 Only 10 appeals (29%) were allowed by the Inspectors which is a comparatively high success rate. All but two of the appeals that were allowed were for householder type of applications where an element of judgement is required. There were no significant challenges to the policies in the Residential Extensions SPD. As a result it is not considered that any review of policies is required as a result of the appeal decisions.

### Existing Policies:

- 5.26 A review of the Saved Policies of the Slough Local Plan was undertaken following the completion of the Site Allocations DPD which was adopted November 2010. As a result it was decided that the following policies were no longer needed because they were no longer relevant or had been superseded.
- EMP5 - Proposed town centre offices
  - OSC7 - Cippenham Green Wedge
  - CG3 - Redevelopment of the Canal Basin
  - TC1 - Town Centre Small Housing Sites
- 5.27 All other Saved Local Plan policies have been retained.
- 5.28 The proposed abolition of the South East Plan will leave a policy vacuum in some areas that are not fully covered by the Local Plan or Core Strategy. As a result the following policies were adopted for Development Control and plan making purposes at Cabinet on 12th July 2010:
- Policy WCBV3 (Scale and Distribution of Housing development( which sets out an annual average of 315 dwellings for Slough and a total provision of 6,300 between 2006 and 2026
  - Policy CC2 (Climate Change) which sets out a target to reduce the region's carbon dioxide emissions by at least 20% below 1990 levels by 2010 and by at least 25% by 2015 and 80% by 2050.
  - Policy NRM11 (Development Design for Energy Efficiency and Renewable Energy) which states that major new development should secure at least 10% of their energy requirements from decentralised and renewable or low carbon sources where feasible and viable.
- 5.29 The proposed abolition of the South East Plan, and absence of a Core Strategy also means that there is a lack of up to date strategic policies for minerals and waste. As a result it is proposed to use the principles behind the policies in the Regional Plan for determining planning applications for minerals or waste in Slough.

## Housing

- 5.30 The monitoring report shows that 249 net additional dwellings were completed in Slough last year. Although this was slightly higher than forecasted figure of 217 net additional dwellings, this is less than the 275 dwellings built in the previous year and less than half the rate in previous years. This was due to the impact of the downturn in the economy and the general decline in house building activity rather than a lack in supply of sites.
- 5.31 Even with last year's shortfall, completions over the first 5 years of the plan period have still averaged 475 a year which is significantly above the required average of 315 per annum.
- 5.32 Despite the impact of the 'credit crunch' and the downturn in the economic climate the Housing Trajectory (see below) still shows that Slough has a five and fifteen year supply of housing land required by Planning Policy Statement 3 (PPS3). The Trajectory also shows that Slough is projected to meet its housing allocation for 2006-2026 without any reliance upon windfalls or any other sites coming forward through the planning process.



### Key:

- Expected net completions on medium and large sites
- ▲ PLAN- Requirement – Annualised (315 per annum)
- X MANAGE- Residual annual average

- 5.33 77% of the gross housing completions in 2010/11 were on previously developed sites a (PDL) site which exceeds the 60% target. This figure tends to fluctuate annually as it is dependent on which sites come forward. There are a number of Greenfield sites being developed and there are others in that are expected to come forward in the short-mid term. This will affect the figure for completions on PDL in future years but it is anticipated Slough will still meet the 60% target.

- 5.34 The monitoring shows that the percentage of flats built in Slough in 2010/11 was 39%. This is a significant decrease from the peak of 92% in 2007/08 when there were a high number of flatted developments in the town centre. This reflects the lack of demand for flats in the town centre and the effectiveness the policy in the Core Strategy that seeks to ensure that outside of the town centre new residential development will predominantly consist of family housing.
- 5.35 77 of the new homes built in 2010/11 were affordable, which is approximately 31% of the total net completions. This includes a number of new build affordable housing completions on former small garage sites. This means that we are on course to meet the 'stretched target' in the Local Area Agreement.

#### Gypsy and Traveller Housing needs

- 5.36 There were no new pitches for Gypsy and Travellers in 2010/11. The Council is intending to retain the target for providing 6 new pitches in the South East Plan even though the Government intends to revoke it.

#### Employment

- 5.37 The monitoring shows that there was a net gain of 13,696 square metres of employment floorspace in 2010/11 compared to 143,676 square metres in 2009/10. This reflects a lack of activity in the commercial sector.

#### Retail, Leisure and offices

- 5.38 There was a total net gain of 23,922 square metres of retail, leisure and office floor space during 2010/11 compared to overall loss of 1,371 m<sup>2</sup> in 2008/09. This included the 9,795m<sup>2</sup> Sainsbury's superstore on the Uxbridge Road.

#### Flooding

- 5.39 Within the period of 2010/2011, no planning permissions granted were contrary to the advice of the Environment Agency with reference to flood risk.
- 5.40 There were four objections based on flood risk grounds, however all these objections were resolved. The four applications provided further information to the EA which was deemed satisfactory and with appropriate conditions attached which mitigated any concerns the EA had raised regarding flood risk.

#### **Future Monitoring**

- 5.41 The way in which monitoring is carried out in the future is likely to be affected by the Government's changes to the planning system. This will not, however, change the overall duty for Council's to carry out monitoring.
- 5.42 Currently there is a statutory duty to prepare and submit an Annual Monitoring Report to the Secretary of State. The Localism Bill when enacted will include a statutory to duty to prepare reports and publish them to the local community. The AMR will therefore no longer be required to be submitted to the Secretary of State in December of each year. As a result there is scope for the Council to publish a monitoring report in September

which will provide more up to date information. The report can also be more focused to what the community would be interested in. Possible future indicators that could be reported on are Development Control statistics and retail vacancies. Future AMR's can also include an update on the implementation of the Site Allocations.

- 5.43 There is still a statutory requirement to monitor a number of indicators. The Government has published a draft "Single List" of data requirements which retains all of the returns that currently made to the government. The final list is likely to be published in December 2011 and may include a few more additional indicators relating to things like Neighbourhood Planning and the Community Infrastructure Levy.
- 5.44 Some monitoring, such as the returns that had to be made to the Regional Planning body, was previously carried out by the Joint Strategic Planning Unit on behalf of the Berkshire Authorities. The abolition of Regional planning means that this is no longer needed. This was one of the reasons why it was decided to disband the Joint Unit and take all of the remaining monitoring functions in house. This includes the preparation of the Annual Planning Commitments documents for employment and housing and the housing returns that have to be made to the Department of Communities and Local Government.
- 5.45 This will produce some budget savings but will also increase the amount of work that will have to be carried out in the Planning Policy section. It is anticipated that can be achieved in part by the increased use of technology.

### **Minerals and Waste Planning**

- 5.46 Minerals and Waste planning, including the preparation of Annual Monitoring Reports, has, until recently been carried out by the Joint Strategic Planning Unit on behalf of the six Unitary Authorities. Following the decision not to progress with the Core Strategy, all work on the Berkshire Minerals and Waste Local Development Framework has ceased. The Joint Unit has now been closed as a budget saving measure and so all responsibility for minerals and waste planning has passed to the individual Unitary Authorities.
- 5.47 As a result it is now intended to incorporate Minerals and Waste into our Annual Monitoring Reports. This section covers the position of Minerals and Waste Planning in the light of Government changes to the planning system and a record of latest trends.
- 5.48 Members should note that data on National Core Indicators was always reported on Minerals between January-December 2010 and Waste between April 2010 –March 2011. Much of this information came from annual surveys of commercial operators. It will take some months to make similar arrangements to continue this.
- 5.49 There have been significant changes in the waste industry over the past two decades. Emphasis on waste minimisation, recycling and energy from waste has meant less dependency upon landfill. Slough BC did make early decisions about waste facilities. As these become operational, a significant shift has taken place to meet these set objectives. These are clearly reflected in this Report.
- 5.50 The Government has announced the requirement for aggregates production from primary land in Berkshire. There are very few remaining mineral reserves in Slough,

most being extracted and restored. An existing Rail Depot is safeguarded to bring aggregates from further afield.

5.51 This Council is better placed than most for dealing with changing circumstances for the reasons set out above. The policy base for determining new applications will be drawn from the Saved Policies from the 1998 Waste Local Plan for Berkshire and 2001 Replacement Minerals Local Plan.

5.52 It is important that the Council continues to engage in minerals and waste matters at a regional and sub regional level and that our evidence base remains up to date. Annual monitoring will play an important part in this work.

## 6. **Conclusion**

Members' approval is being sought for the draft Annual Monitoring Report which is summarised above so that it can be submitted to the Secretary of State by 31st December 2011 and subsequently published.

## 7. **Background Papers**

- '1' Slough Annual Monitoring Report 2004/2005
- '2' - Slough Annual Monitoring Report 2005/2006
- '3' - Slough Annual Monitoring Report 2006/2007
- '4' -Slough Annual Monitoring Report 2007/2008
- '5 ' -Slough Annual Monitoring Report 2008/2009
- '6' Slough Annual Monitoring Report 2009/2010
- '7' -Slough Borough Planning Commitments for Employment Uses at March 2011
- '8' -Slough Borough Planning Commitments for Residential Uses at March 2011
- '9' - Localism Bill (2011)