

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 3rd August 2016

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WARD(S): All

PART I **FOR DECISION**

PROPOSED REPRESENTATIONS ON ADJOINING LOCAL PLANS

1 Purpose of Report

The purpose of the report is to update Members on the work that has been taking place with adjoining authorities under the Duty to Cooperate and to seek views on Local Plans that are currently out for public consultation.

It also provides an update on the joint working that has been taking place to agree a "Vision" for the Heathrow sub-region which would apply whether or not it is decided that the third runway should go ahead.

2 Recommendation(s)/Proposed Action

The Committee is requested to resolve that

- Progress on ongoing Duty To Cooperate meetings with adjoining Boroughs be noted
- Comments set out in paragraph 5.23 can be forwarded as a response to the current consultation on the Vale of Aylesbury Local Plan.
- The work of the Heathrow Strategic Planning Group be noted

3 The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

3a. Slough Joint Wellbeing Strategy Priorities

Ensuring that local needs are met within Local Plans will have an impact upon the following SJWS priorities:

- *Health*
- *Economy and Skills*
- *Regeneration and Environment*
- *Housing*
- *Safer Communities*

3b. Five Year Plan Outcomes

Ensuring that development is properly planned around Slough will contribute to the following Outcomes:

- 1 *Slough will be the premier location in the South East for businesses of all sizes to locate, start, grow and stay.*
- 2 *There will be more homes in the borough with the quality improving across all tenures to support our ambition for Slough.*
- 3 *The centre of Slough will be vibrant, providing business, living and cultural opportunities.*

4 Other Implications

(a) Financial

There are no financial implications of the proposed action in this report which can be achieved within existing budgets.

(b) Risk Management

It is considered that the risks can be managed as follows:

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
That we continue to engage with adjoining local authorities (including through the Heathrow Strategic Planning Group) in accordance with the Duty to Cooperate for the preparation of Local Plans.	Failure to engage with adjoining authorities would mean that we would not be able to influence important planning decisions and could risk us failing to comply with the Duty to Cooperate in preparing the Review of the Local Plan for Slough.	Agree the recommendations.

(c) Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications as a result of this report.

(d) Equalities Impact Assessment

There are no equality impact issues.

5 Supporting Information

Introduction

- 5.1 We are continuing to make progress on the Review of the Local Plan and are on course to produce an Issues and Options report for public consultation by the end of the year. The subsequent detailed timetable for the next stages of the plan is partly dependent upon things which are outside of our control. This includes a decision about the future of Heathrow airport and whether we can get agreement with Chiltern and South Bucks Councils about whether there should be a northern expansion of Slough to meet the needs arising in the area.
- 5.2 At the same time other Councils, such as Windsor & Maidenhead are seeking to progress their Local Plans, which could have an impact upon Slough.
- 5.3 The key areas of work that Members need to be aware of are:
 - Windsor & Maidenhead Plan

- Chiltern/South Bucks, Wycombe and Vale of Aylesbury plans
- Heathrow Strategic Planning Group

Review of the Windsor & Maidenhead Local Plan

- 5.4 The Royal Borough is currently proposing to agree the Submission version of its Local Plan at a Meeting of its Full Council on 10th August. It had been expected that they would be producing a further consultation draft that would enable them to respond to issues others have with the Plan but they have decided to go straight to a submission version which, once published, cannot be changed prior to the public inquiry.
- 5.5 They have recently made significant progress with the plan by securing Maidenhead Golf course as the potential location for up 2,000 houses on what is currently Green Belt land. There are, however, a number of significant outstanding issues with the Local Plan which we may have to make formal representations about in due course when it is published.
- 5.6 At this stage the most important thing is whether or not Windsor & Maidenhead has met the requirements of the Duty to Cooperate (DtC) in preparing the plan. At recent meetings all of the surrounding local authorities have expressed concern that the Council has failed to comply with the Duty. If this is the case it will have serious consequences because it would mean that the Plan would be found to be unsound and could not proceed through the public inquiry process.
- 5.7 The Duty to Cooperate is set out in Section 110 of the Localism Act. Amongst other things it requires Councils to “engage constructively, actively and on an ongoing basis” in developing strategic policies. It is intended to be an iterative process that is applied throughout the plan preparation process from the evidence gathering stage through to the development of the final strategy.
- 5.8 The Royal Borough has been actively engaged with the joint commissioning of key evidence such as the Strategic Housing Market Assessment and the Economic Development Needs Assessment.
- 5.9 However there has not been any engagement with adjoining authorities in developing the key strategies in the plan, and although the Duty to Cooperate is not a ‘Duty to Agree’ it is unclear how some comments and concerns raised by the DtC bodies have been considered.
- 5.10 A Member level Duty to Cooperate Meeting was convened by Chiltern/South Bucks in January this year when a number of strategic issues were discussed. RBWM indicated that they would carry out another round of consultation in the Spring prior to producing the submission version of the plan. As a result it was assumed that there would be plenty of opportunity for ongoing discussions about key issues.
- 5.11 Unfortunately this did not happen at any level. The Royal Borough decided not to carry out any further consultations and a Member level Duty to Cooperate meeting was not called until July when the draft plan had already been written and put on the web site.

- 5.12 It is anticipated that some changes may be made to the plan at this late stage but these may not be able to overcome the problems that have been identified. At a recent meeting with all of the adjoining authorities Officers were requested to put in writing the concerns of their respective Councils so that serious consideration could be given to delaying the submission of the Local Plan.
- 5.13 The comments from this Council highlighted the following:
- The lack of any meaningful discussions about the contents of the plan or the development of the strategy;
 - The absence of any consideration as to how unmet housing needs in Windsor & Maidenhead and the Housing Market Area would be met elsewhere;
 - The lack of any consideration as to the impact upon Slough of the failure to meet the need for affordable housing in the plan;
 - The lack of any discussion about cross border issues such as how additional traffic generation should be dealt with; and
 - The general failure to consult on and produce some of the key evidence that is needed to inform the preparation of the plan.
- 5.14 Members are therefore requested to endorse Officers views that if the Plan is submitted ahead of addressing the issues above, that it is considered that Royal Borough of Windsor and Maidenhead will have failed to comply with the Duty to Cooperate in preparation of the Local Plan.

Consultation on the Draft Vale of Aylesbury Local Plan (VALP)

- 5.15 Aylesbury Vale District Council has produced a draft Local Plan for public consultation. We would not normally expect to be affected by this but current circumstances mean that it could have unforeseen consequences for Slough. This is because of the inter relationship between Aylesbury and South Bucks.
- 5.16 It had previously been agreed that South Bucks was in the same Housing market Area as Slough and Windsor & Maidenhead. The decision to prepare a joint plan with Chiltern meant that for administrative plan making purposes it had to be decided which Housing Market Area (HMA) the combined areas would be put into. As a result it was decided that using the “best fit” methodology, the combined districts should be part of the Buckinghamshire Housing Market Area.
- 5.17 This is significant because in theory South Bucks can now look northwards to meet any shortfall in housing in the District even though in practice there had been no change to the functional geography of the area.
- 5.18 The Aylesbury plan calculates that 21,300 new homes and 22 hectares of employment land would be required to meet its own needs up to 2033. Because it is not so constrained by Green Belt, Aylesbury has had requests from Wycombe and Chiltern and South Bucks Councils to meet their collective unmet needs by building an additional 12,000 houses.
- 5.19 As a result the draft plan has been prepared on the basis that under a “worst case scenario” 33,300 houses will have to be built. In order to do this the plan proposes that Aylesbury should be designated as a Garden Town, there should be a new settlement and consideration should be given to the release of some of the Green Belt land that it has for housing.

- 5.20 The Council has, however, made it clear that it will be robustly challenging the level of unmet need that it is being asked to accommodate by its neighbours to the south.
- 5.21 This has implications for Slough because we have suggested that South Bucks should consider meeting its needs where they arise by building a northern extension of Slough in the form of a new “garden suburb”. Under the new proposals the unmet need would be met in numerical terms in Aylesbury. As explained above, the justification for this is that South Bucks is now in the same Housing Market Area and planning guidance suggests that any unmet need should in the first instance be met within the same Housing Market Area.
- 5.22 It is therefore suggested that the Council make the following representations to the Aylesbury Vale draft Plan:
- 5.23 Slough welcomes the opportunity to comment on the Local Plan and makes the following representations:

Slough considers that Aylesbury Vale Council should robustly challenge the level of unmet housing need that it is being asked to accommodate from Chiltern/South Bucks.

Slough welcomes the fact that that both Aylesbury and Wycombe are proposing to make Green Belt releases in order to accommodate housing needs, and considers that serious consideration should also be given as to whether a similar Green Belt release should be made to the north of Slough.

The above should be looked at not just in terms of reducing the number of houses that need to be built in Aylesbury but also, in keeping with the NPPF’s (para. 84) need to promote sustainable patterns of development, how realistic it is to assume that housing needs arising in somewhere like Burnham can be met in Aylesbury which is around 25 miles away (by road).

Whilst building additional houses in Aylesbury may mean that that the right quantity of housing is being built in Buckinghamshire as a whole, it is not necessarily the most sustainable distribution and will not do anything to relieve the housing pressures in the southern part of the county.

It is recognised that any proposal for releasing Green Belt for housing will need to meet very special circumstances and be agreed through the Local Plan process.

Heathrow Strategic Planning Group

- 5.24 The Heathrow Strategic Planning Group has been set up and is being convened by Hounslow. The aim is to enable collaborative working towards capturing the benefits and addressing the negative impacts emerging from growth at LHR, whether this is as a two runway or three runway option.
- 5.25 Membership of the Group is open to all authorities and bodies with a key stake in the sub-regional planning of the area. Importantly membership does not require any particular position of support or opposition towards expansion. South Bucks, Bucks CC, Slough and the Bucks and Berks LEPs are active

members. Currently LB Hillingdon have declined to participate and RBWM are not attending due to lack of resources.

- 5.26 The output from the Group will be a Shared Vision for the sub region around the Airport which is supported by a series of Development Principles (Placemaking, Environment, Transport/Infrastructure and Socio/Economic) with a central cross-cutting theme of sustainability. There will also be the potential for future work and specific evidence gathering to assess impacts on the area from future growth options.
- 5.27 It will allow us to promote Slough as an area to benefit from growth at Heathrow such as promoting the Town Centre as an accessible place to stay for Stop-over passengers, delivering modal shift and providing jobs. It will also help to inform how to plan for the impacts on housing demand, air quality and noise, particularly in the east of the Borough.
- 5.28 It is proposed that the proposed Vision will be considered at a Conference for Members and participants of participating bodies in November.

6 Conclusion

- 6.1 This report highlights the important work that is going on to ensure that Slough's needs are given proper consideration in the plans and strategies being developed by adjoining authorities, including a joint non-statutory vision for Heathrow. The Report also gives a brief update of progress on the Slough Local Plan for context.

7 Background Papers

- '1'- Windsor & Maidenhead Borough Local Plan – Draft June 2016
- '2'- Vale of Aylesbury Local Plan - Draft for consultation 2016