

Policy and Resources Committee	
Meeting Date	27 November 2024
Report Title	Local Plan Review – Housing Historic Delivery & Local Plan Review Housing Target
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
SMT Lead	Joanne Johnson Head of Place
Lead Officer	Stuart Watson Project Manager (Policy)
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. Members of the Policy and Resources Committee are recommended by the Planning and Transportation Policy Working Group to recommend to Full Council that the Local Plan housing target as set out in paragraphs 3.1 and 3.2 of the PTPWG report on Housing Historic Delivery and Local Plan Review Housing Targets, including the 5% buffer for consultation and examination resilience, and along with the extra 336 dwellings set out in the current NPPF consultation is taken forward for consultation in the Local Plan Review Regulation 18. 2. Members of the Policy and Resources committee are recommended by the Planning and Transportation Policy Working Group to recommend to Full Council that the proposed growth within the draft Plan Regulation 18 consultation of 8,326 dwellings, including the review of the remaining Local Plan Bearing Fruits (1,703 dwellings), as well as the balance of housing need (6,287 dwellings), and additional units to allow for the proposed new NPPF housing target (336 dwellings) be taken forward for consultation in the Local Plan Review Regulation 18, with these figures delegated to be amended by the Head of Place, in consultation with the Committee Chair, solely in line with additional planning permissions granted, new dwellings completed and any evidence which concludes previously granted or allocated sites are no longer deliverable. 3. Members of the Policy and Resources Committee are recommended by the Planning and Transportation Policy Working Group to support – and agree funding for – site-specific transport modelling for each of the six growth options under consideration, in advance of Reg 18 consultation.

	<p>4. Member of the Policy and Resources Committee are recommended by the Planning and Transportation Working Group to support - and agree funding for – additional sustainability work, in advance of the Regulation 18 draft Plan consultation, namely research into unsustainable commuting patterns.</p> <p>5. Members of the Policy and Resources Committee are recommended by the Planning and Transportation Policy Working Group to delegate to officers, in consultation with the Chairs of the Policy and Resources Committee and Planning and Transportation Policy Working Group, to update the Local Development Scheme to accommodate this additional work, and to take directly to Full Council in December 2024.</p> <p>6. Members of the Policy and Resources Committee are recommended by the Planning and Transportation Policy Working Group to support the deferral the Vision, Objectives and Growth Options paper at Full Council, to allow further evidence to be gathered prior to a recommendation being made.</p>
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1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to seek recommendation to Full Council of the proposed housing target as reported to the Planning and Transportation Policy Working Group (PTPWG) on 8th August 2024. The PTPWG report is provided at Appendix II. The minutes of the 8th August PTPWG meeting are provided in Appendix III.
- 1.2 It should be noted that the figures in resolution 2 will fluctuate over time as the Local Housing Need that informs the starting point for the local housing target is updated annually by Government statistics or through changes to National Policy. The figures will also need to be updated as additional planning permissions are granted, new dwellings are completed, and new information comes forward on sites which demonstrates them to no longer be deliverable. Finally, there also maybe be the need to amend the figures as the Local Plan moves forward and detailed evidence is developed to investigate if there any hard constraints to meeting the Local Housing Need.
- 1.3 The report highlights additional recommendations from the Planning and Transportation Policy Working Group in response to its consideration of the Housing Targets Exceptional Circumstances Study (Appendix IV) on 13th November 2024.

2 Background

- 2.1 An earlier report on the Council's proposed housing target approach was taken to Policy & Resources (P&R) Committee on 11th September 2024. The Committee resolved to defer consideration of the report until Members of PTPWG had been able to view the Housing Targets Exceptional Circumstances Study (Appendix IV). The minutes of P&R on the 11th September are provided in Appendix I.
- 2.2 The Housing Targets Exceptional Circumstances Study was in response to changes to the National Planning Policy Framework (NPPF) in December 2023 which stated nationally-set housing targets were advisory, rather than mandatory and could be departed from where 'exceptional circumstances' could be evidenced. The study addresses two distinct elements to help inform whether there is a case for a lower housing target. They are:
- **Housing need** – whether exceptional circumstances exist to justify calculating need using a methodology other than the standard method,
 - **Housing requirement** – whether there are wider factors (essentially constraints / opportunities, unmet need issues and supply options) exist to justify adopting a housing requirement below the housing need.
- 2.3 The discussion at PTPWG on 8th August 2024 involved the discussion of two matters: historic housing delivery, and Local Plan Review housing targets. The historic housing delivery information was noted, with the focus of the debate on the Local Plan Review housing targets. The draft minutes of the meeting provided at Appendix II provide a commentary of the debate.
- 2.4 It should be noted that between the PTPWG papers being issued, and the meeting taking place on 8th August, the consultation on the draft National Planning Policy Framework (NPPF) was published, along with a draft new approach to setting a Local Housing Need for an authority that is the starting point for determining a Local Plan housing target. At the time of writing this report the proposed changes have not been adopted into National Planning Policy. However, one of the purposes of the housing target resilience buffer of 5% is to accommodate increases in target through possible changes to the Local Housing Need for the Council.
- 2.5 The Housing Targets Exceptional Circumstances Study was presented to PTPWG on 13th November 2024. There was discussion at the meeting on the following topics:
- The national issue of dwelling stock discrepancies between Local Authority monitoring and the census counts and the need to investigate in detail the discrepancy of an additional 3,000 dwellings identified in the study between the Councils own monitoring of additional dwelling stock growth and the published Census data;
 - Transport concerns were raised by members from findings in the study including high levels of out commuting from the borough. ; and

- And that both the transport impacts and sustainability of the Local Plan Review growth options be assessed in detail before a decision could be made on a preferred option and selection of allocated sites.

3 Proposals

3.1 On 8th August 2024, PTPWG resolved:

- 1 That the Local Plan housing target as set out in paragraphs 3.1 and 3.2 of the [PTPWG] report, including the 5% buffer for consultation and examination resilience for the draft Plan Regulation 18 Plan consultation, be recommended to Policy and Resources Committee, along with the extra 336 dwellings set out in the current NPPF consultation;
- 2 That the proposed growth within the draft Plan Regulation 18 consultation be 8,326 dwellings, including the review of the remaining Local Plan Bearing Fruits (1,703 dwellings), as well as the balance housing need (6,287 dwellings)., and the additional units subject to the amended wording as minuted (336 dwellings).

3.2 On 13th November 2024, PTPWG resolved:

1. Members of the Policy and Resources Committee are recommended by the Planning and Transportation Policy Working Group to support – and agree funding for – site-specific transport modelling for each of the six growth options under consideration, in advance of Reg 18 consultation.
2. Member of the Policy and Resources Committee are recommended by the Planning and Transportation Working Group to support - and agree funding for – additional sustainability work, in advance of the Regulation 18 draft Plan consultation, namely research into unsustainable commuting patterns.
3. Members of the Policy and Resources Committee are recommended by the Planning and Transportation Policy Working Group to delegate to officers, in consultation with the Chairs of the Policy and Resources Committee and Planning and Transportation Policy Working Group, to update the Local Development Scheme to accommodate this additional work, and to take directly to Full Council in January 2025.
4. Members of the Policy and Resources Committee are recommended by the Planning and Transportation Policy Working Group to support the deferral the Vision, Objectives and Growth Options paper at Full Council, to allow further evidence to be gathered prior to a recommendation being made.

3.3 It is standard practice in plan making to undertake traffic modelling for the preferred growth option as part of Reg 18 draft Plan consultation work, and as such officers

have budgeted for one option to be modelled. This is within the budget envelope for the Local Plan. To model all six options (an additional five) will cost an estimated extra £13,000 per additional scenario, totalling £65,000 for the additional five. Synergies between some of the growth options may reduce this cost if we proceed to commissioning. This is an additional cost that PTPWG have requested P&R Committee agree to resource.

3.4 Transport modelling all six options would be a highly unusual departure from standard practice and was not initially recommended by officers. This is due to the work not adding substantial value to the growth options decision-making process. Whilst different growth options may require different levels of mitigation, transport is one of a collection of considerations when choosing a vision for growth within the Borough. Further, this work would result in delays to drafting the Plan, and ultimately adoption (with the associated and inherent risks of an out of date Local Plan), and create additional costs. The work is also likely to demonstrate that each growth option could be deliverable with mitigation setting out what infrastructure amendments and additions would be required, deliverability issues including costs and time frame involved. Further, the extra traffic runs would not allow the Council to exclude any of the options at this stage of Plan drafting. Whilst the Housing Targets Exceptional Circumstances study (appendix IV) sets out concerns regarding transport and the unique challenges of the geography of Swale/Kent and that J7 (Brenley Corner), where the M2 and A2 currently has no committed national improvement scheme. It is for the transport modelling to assess those constraints and provide the detail on the mitigation required. In consideration that all options can be mitigated for on transport matters the process of choosing a preferred growth option is part of setting the Council's vision for the Local Plan that provides the strategic approach that resonates most strongly with the perceived development needs and opportunities of the borough.

3.5 With regards to on sustainability. As part of choosing the Regulation 18 draft Plan approach a Sustainability Appraisal^[1] and Habitats Regulation Assessment^[2] is already intended to be carried out before consultation that will assess the preferred growth option and reasonable alternatives, including preferred allocated sites and discounted sites identified in the Council's Housing and Economic Land Availability Assessment. A Sustainability Appraisal assesses a draft Local Plan with a view to avoiding and mitigating adverse effects and maximising the positives with the aim to ensure that the plan contributes to the achievement of sustainable development. The Sustainability Appraisal is an iterative process which runs alongside the development of a plan informing the decision-making process and is consulted upon alongside the draft Plan. The appraisal sets out a series of objectives for the Plan that include, Air quality, Biodiversity, Climate

^[1] NPPF 2023 paragraph 32 sets out the purpose of a sustainability appraisal to be "...demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered)

^[2] a Habitat Regulations Assessment is required any time a development project is being carried out on a European site that is protected by Habitat Regulations. This would include SPAs, SACs, Ramsar sites and any areas that have been secured to compensate for damage caused to a European site.

change mitigation, Communities, Economy and employment, Flood risk, Heritage, housing, Land, Landscape, Transport and Water. The transport element of the Sustainability Appraisal has parts of the assessment is informed by outputs from the transport modelling including the identified mitigation requirements. This means that the issues of sustainability of the Local Plan is assessed through a Sustainability Appraisal that is developed alongside and informs the drafting of the Local Plan. Therefore, these matters are programmed into the Local Plan process and require no additional transport evidence or further funding.

- 3.6 If the additional work on unsustainable commuting patterns is to be carried out, officers will agree a brief/scope of the work with the PTPWG Chair. Officers will also need to look for precedent examples of this type of study, as we are not aware of this type of commission locally. At this stage due to the complex nature of identifying the actual social causes of out commuting and transport patterns this work is estimated cost in the region of £35,000. This evidence is not recommended by officers as it is not a statutory requirement for Plan making and will likely only demonstrate the necessity to ensure that proposed development is sustainable. The objective of sustainability in Plan making is required within National Planning Legislation and Policy, the NPPF 2023 Paragraph 16a that states Plans “*be prepared with the objective of contributing to the achievement of sustainable development*” This objective is a legal requirement of local planning authorities exercising their plan-making functions (section 39(2) of the Planning and Compulsory Purchase Act 2004).

4 Alternative Options Considered and Rejected

- 4.1 No alternatives were put forward with regard to historic housing delivery, as that is a presentation of factual, historic information.
- 4.2 Officers outlined in their report that there are limited options for alternative housing targets. Pursuing a lower housing target is unlikely to result in a Local Plan proceeding successfully through examination without substantive evidence.
- 4.3 For transport modelling, as discussed in the report, officers recommended approach is to test the preferred growth option only and not the alternatives as it is likely each approach would be deliverable with varying levels of mitigation required, including possible constraints in the Plan’s short term that would then be made up in the later years of the Plan period through a “stepped trajectory.”
- 4.4 For the unsustainable commuting patterns research as discussed in the report, officers recommended approach is to not proceed with this work as the principles this work will identify will confirm the need to ensure for sustainable development an objective already established in Plan Making legislation and Policy.

5 Consultation Undertaken or Proposed

- 5.1 Consultation is proposed for the Local Plan Regulation 18 to take place from May 2024, which would include the Local Plan housing target approach as discussed if the recommendations in this report are taken forward.

6 Implications

Issue	Implications
Corporate Plan	The Corporate Plan includes the dedicated action: A Local Plan with local needs and capacity at its heart.
Financial, Resource and Property	If the additional transport modelling and unsustainable commuting patterns studies are agreed this will add a pressure of approximately £100,000 to the budget requirement which is already under significant pressure. The use of reserves is required to balance the draft budget and this request for further funding increases the budget gap.
Legal, Statutory and Procurement	Preparation of a Local Plan is carried out under a national legislative and regulatory framework.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	The Local Plan will be supported by its own Sustainability Appraisal and Habitats Regulation Assessment at each key stage in decision making.
Health and Wellbeing	None identified at this stage
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

- 7.1 Appendix I Printed minutes 11th September 2024 Policy and Resources Committee.
- 7.2 Appendix II Local Plan Review Housing Historic Delivery and Local Plan Review housing targets discussion PTPWG 8th August.
- 7.2 Appendix III Printed minutes 8th August 2024 Planning and Transportation Policy Working Group.
- 7.3 Appendix IV Housing Targets Exceptional Circumstances Study 2024

8 Background Papers

- 8.1 None

