

Craven Spatial Planning Sub Committee 14 June 2017



Craven Local Plan – Duty to Cooperate. Objectively Assessed Housing Need and interactions with the Yorkshire Dales National Park Authority

Report of the Strategic Manager for Planning and Regeneration

Ward(s) affected: All wards

1. **Purpose of Report** - To brief Members about, and to consider the next steps in resolving the preferred approach relating to housing matters in the housing market area and district as a whole.
To formalise the understanding relating to cross boundary matters, including the economy, the use of which will form part of the evidence base to show that the Duty to Cooperate has been met.
2. **Recommendations** – Members are recommended to:
 - 2.1 Accept and note the content of the report;
 - 2.2 Approve the Draft Memorandum of Understanding (MOU) as presented at Appendix 1; and
 - 2.3 Give the Strategic Manager for Planning and Regeneration delegated authority to sign the MOU on behalf of Craven District Council and arrange for the MOU to be signed by the Yorkshire Dales National Park Authority.
- 3 **Report**
Introduction
 - 3.1 Members will recall that a report concerning a revised Objectively Assessed Housing Need (OAHN) for Craven District was considered by this Committee on 22 November 2016 and was confirmed by the Policy Committee on 13 December 2016. Arising from that consideration, Members agreed that:
 - The OAHN for Craven District is 214 dwellings pa for the period 2012 to 2032; and

- The OAHN be accommodated in Craven District outside the Yorkshire Dales National Park.

3.2 Whilst officers are not recommending a change to the 214 dpa housing provision figure for the Craven Local Plan, Members are being asked to review the above resolution in the light of a report to this Sub Committee on 'Housing Growth Options' for the Craven Local Plan. As a starting point, it is the position regarding the YDNPA local plan, which is now adopted, and the policy approach taken in that document that has relevance to the issue. This is outlined and reviewed below.

YDNP Local Plan, and Inspectors' Report

3.3 On 15 December 2016, the YDNPA received the Local Plan Examination Inspector's Report which, subject to a number of modifications, concluded that the YDNPA's Local Plan was sound. The YDNPA local plan was adopted on 20 December 2016.

3.4 A central component to the YDNPA local plan and housing delivery, is the reliance on a significant level of windfall development to deliver the YDNPA plan target of 55 dwellings per year, particularly in the latter part of the plan period. This is an approach that the examination Inspector accepted, and is now part of the adopted YDNPA local plan

3.5 Given the low levels of growth planned for in the YDNP and the YDNPA local plan, the reliance on windfall development as a source of housing supply can be viewed as logical and appropriate. There are though, potential implications for the Craven Housing Market Area (HMA), for which the emerging Craven Local Plan has regard, and sets the planning strategy for part of the HMA. These warrant consideration.

Windfall

3.6 The main consideration of relevance to the HMA is a reliance on windfall development as set out in the YDNPA local plan as a mechanism for housing delivery. This carries with it a number of implications. Of significance is that it could introduce an element of uncertainty as to delivery of the planned housing supply for the wider District and HMA. There are also potential implications for meeting the identified OAHN as identified by the SHMA.

3.7 By its' nature, windfall development is unpredictable and can be erratic in location and occurrence. Consequently, there is no guarantee that the level of housing potentially to be delivered through windfall in the HMA will actually occur. Whilst an approach such as this may be appropriate in the National Park area, it is this approach that could have implications for the Craven District HMA, for which an OAHN of 214 dwellings pa has been identified.

3.8 The YDNPA recognise that some of its housing demand may not be delivered in the National Park Area - their population is older and many new jobs, newly forming households and affordable stock are likely to be located outside it. Furthermore,

the identification of land allocations to meet the housing requirement in the review of the YDNPA plan without adverse impact on the primary objectives of the National Park is likely to be a challenge for the YDNPA.

- 3.9 It is though, the way in which the approach in the YDNPA local plan influences the approaches to housing delivery in the wider HMA as a whole that is of particular relevance to the Council and progressing the emerging local plan for Craven outside the YDNP.

Craven Housing Market Area and the YDNP Boundary.

- 3.10 The Craven Strategic Housing Market Assessment (SHMA) identifies the whole of Craven District as a single housing market area. As such, it is logical that the planning approaches to the entire HMA be looked at in the round.
- 3.11 The circumstances in the Craven District as a whole suggest that the District's OAHN of 214 dpa is appropriate as the housing requirement for the Craven Local Plan. (see item on agenda: 'Craven Local Plan: Housing Growth Options Paper'. This is a relatively modest level of increase above the 182 dpa that the SHMA identified for the district outside the YDNP and should not undermine the YDNP Local Plan's objective of making the National Park area a more attractive option for young adults and people of working age to live in.
- 3.12 The district outside the YDNP, whilst generally of good environmental quality, is not subject to the same level of designation as the YDNP area. Planning positively to meet the whole OAHN in the district outside of the YDNP (and Forest of Bowland AONB) will enhance the prospects of the OAHN for the HMA being met over the plan period as a result.
- 3.13 By the same token, National Planning Guidance is clear that outside of designated areas, the OAHN should be met in full and should be planned for accordingly. The circumstances relating to the YDNP are quite particular, with a high level of environmental constraint means that the contribution of the YDNP to meeting housing requirements will be limited. As such it is logical that meeting the OAHN in the HMA should be planned for in Craven outside the National Park through the emerging Craven local plan. It follows that whilst invariably some housing will be delivered in the YDNP area of the HMA and Craven, this should be viewed as an added benefit that contributes to meeting Government housing objectives.

Overall and Understanding

- 3.14 Overall, it is the way in which housing needs are planned for in both the YDNPA and Craven local plans that are of most relevance. This is a key issue that demonstrates ongoing cooperation between the planning authorities. There is broad alignment between respective plan strategies, particularly with regard to spatial strategy alignment, and the manner in which 'split' settlements are dealt with. This is whilst recognising the circumstances within which the YDNPA operate, and the resulting spatial strategy.

3.15 There is, and has been considerable interaction between the Council and YDNPA, as a result, and it is the capturing and recording of this understanding and alignment that is most relevant. Informal discussions between Council and YDNPA officers have highlighted that an appropriate mechanism for recording the position and understanding between the two authorities on planning matters including OAHN is to enter into a Memorandum of Understanding (MOU) between the authorities to record the positions of both the YDNPA and Council. A copy of a potential MOU is attached at Appendix 1 for Members' consideration and review. It covers the following points:

- Objectively Assessed Housing Need (OAHN),
- Objectively Assessed Employment Need (OAEN),
- Apportionment between Craven District Council and Yorkshire Dales National Park Authority, and
- Strategy Alignment

3.16 Overall, an MOU seeks agreement of the main planning areas pertinent to the district and HMA and is considered to be an appropriate mechanism for capturing the respective positions and approaches of the Council and YDNPA.

3.17 It is acknowledged that the thrust of this report relates to the treatment of the OAHN and next steps with regard to resolution of those matters. However, the MOU would cover a wider range of issues pertinent to Craven that also require consideration as part of wider planning strategies, overall alignment and cross boundary effects. These are referred to in the bullet points above and also referenced in the MOU.

3.18 A key outcome of an MOU is that it would effectively demonstrate cooperation between the Council and YDNPA on cross boundary issues. As such an MOU would represent good evidence in showing that the Duty to Cooperate has been met. Officers have discussed matters with the YDNPA, and the YDNPA has indicated that subject to agreement of the MOU by Members, they would be willing to sign it. It is within this context that the recommendations are framed.

4 Implications

4.1 **Financial and Value for Money (vfm) Implications** – There are no financial implications arising directly from this report,

4.2 **Legal Implications** – The preparation of the Local Plan is a statutory obligation under the provisions of the Planning and Compulsory Purchase Act 2004. Fulfilling the Duty to Cooperate is a key legal test that is an integral and fundamental part of plan preparation.

4.3 **Contribution to Council Priorities** – Adoption of the Craven Local Plan will provide a spatial strategy, development policies and land allocations for housing

and employment in the area which will directly or indirectly contribute to all the Council's priorities.

- 4.4 **Risk Management** – Preparation of the local plan is a statutory obligation under the Planning and Compulsory Purchase Act 2004 and is the key mechanism for delivering development in the Craven to meet future community needs and demands. Significant delay in adoption of the plan may affect future New Homes Bonus payments. In addition, the plan is a key corporate document that will be the spatial expression of numerous other corporate strategies, such as the Housing Strategy, Economic Strategy and Council Plan. Failure to deliver the plan will also result in these strategies not being fully realised.
- 4.5 **Equality Analysis** – No new policy or procedure is proposed in this report which would give rise to a requirement for an Equality Analysis.
5. **Consultations with Others** –Legal Services, Financial Services.
6. **Access to Information: Background Documents** –
7. **Author of the Report** – Matthew Collins; e-mail; mcollins@cravendc.gov.uk
8. **Appendices** – Appendix 1 – Draft Memorandum of Understanding