



*Basingstoke
and Deane*



Examination of the Basingstoke and Deane Local Plan (2011 to 2029)

Basingstoke and Deane Borough Council
Response to Inspectors Key Issues and
Discussion Note

Issue 11: Development Management, Risks
and Monitoring

24 September 2015

21. Development management:

21.1 *Does policy EM10 provide sufficient guidance to cover aspects for new development, such as high design quality and impact on living conditions for future occupiers and neighbouring residents?*

21.1.1 The NPPF states that one of the core planning principles is to “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. Section 7 of the NPPF expands on this section in order to emphasise the importance of a wide range of urban design principles.

21.1.2 Accordingly, policy EM10 explicitly requires that all development proposals are high quality in design terms, and provide occupants and neighbours with a high standard of amenity. Furthermore, the policy provides the basis for holistic design solutions, encompassing the key principles set out in section 7 of the NPPF, such as establishing a strong sense of place, legibility, accessibility and responding to local character and history.

21.1.3 Further support for the policy is provided via the council’s extensive Design and Sustainability SPD. This provides clear, comprehensive guidance focused on ensuring a high standard of amenity for existing and future residents (Appendix 16 of SP02). The SPD encompasses issues such as residential amenity space, overlooking and outlook, and has been used successfully by the council since March 2012.

21.1.4 In terms of the amount of guidance which ought to be provided in the policy, the NPPF (paragraph 58) states that local plans should “develop robust and comprehensive policies that set out the quality of development that will be expected for the area”. However, this needs to be weighed against paragraph 59 of the NPPF which states that “design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale of development in relation to neighbouring buildings and the local area more generally.”

21.1.5 It is considered that policy EM10, and the accompanying guidance set out in the Design and Sustainability SPD, strikes an appropriate balance between providing a robust framework for facilitating high quality design and residential amenity, whilst also avoiding an unnecessary amount of prescription or detail, and therefore complies with the principles set out in the NPPF.

22. Uncertainties and Risks:

22.1 *Overall, does the Plan take sufficient account of uncertainties and risks? How flexible is it?*

- 22.1.1 The Local Plan aims to strike an appropriate balance between providing as much certainty as possible, whilst ensuring that the policies are flexible enough to respond to changes in circumstances. Uncertainties and risks have been assessed through the Sustainability Appraisal (SA), relevant parts of the evidence base and the Infrastructure Delivery Plan (IDP).
- 22.1.2 Throughout the preparation of the Plan, the spatial and policy options have been considered and assessed through the sustainability appraisal process. The assessment of the preferred and particularly the alternative options through the SA process has identified and considered the potential positive and adverse impacts. This includes the consideration of risks and uncertainties of taking options forward and where appropriate, how risks can be mitigated and where flexibility can be integrated, as shown in the various SA reports.
- 22.1.3 The key areas of risk, as with most local plans, relates to housing delivery and economic growth. Whether the housing market responds to the availability of land as set out in the allocations is beyond the control of the local planning authority. However, current market signals, as outlined in relevant aspects of the evidence base, including the viability assessments (HO10/HO11/ PS/02/21), and Updated Housing Land supply statement (PS/02/43) suggest a strong market demand, as reflected by the council's housing trajectory which is built upon the views of the development industry. Policy SS4 sets a framework for triggering a review of the Plan if a five year supply of sites cannot be maintained over the plan period.
- 22.1.4 Neighbourhood planning is a key strand of the plan's approach to housing delivery and a potential risk is the delivery of such plans and the resultant housing. Given the support expressed by local communities for neighbourhood planning in the borough and the significant progress that has been made by local communities in taking forward such plans and addressing the requirements of Policy SS5 within them, it is considered that the approach will be effective. The Policy does, however, mitigate any potential risk through the inclusion of a trigger which will enable the council to step in, in 2017, if no opportunities have been identified by that time. The council will then assess the needs for it to identify sites through appropriate means.
- 22.1.5 Affordable housing delivery is another potential area of risk, but the evidence presented shows that affordable housing is viable in the majority of cases and the policy is flexible, allowing financial contributions from smaller sites and in exceptional circumstances. In addition, the policy allows sites that would otherwise be unviable to come forward with a lower proportion of affordable housing.

- 22.1.6 A further area of risk is the impact of development on the water quality of the borough's rivers, most specifically the river Loddon which is currently failing to meet the good ecological status of the Water Framework Directive (WFD). Policies SS4 and EM6 provide a framework for ensuring that water quality is protected, restricting the release of further sites/granting of planning permission if further deterioration is identified. The policy and approach has been developed in cooperation with the Environment Agency who support the policy.
- 22.1.7 The provision of infrastructure also represents a risk to the plan, but this has been minimised through clearly setting out the infrastructure requirements and identifying funding arrangements in the IDP. This ensures that developers know in advance what is required from their developments. The IDP is a live document and it has been developed through continuous work with infrastructure providers.
- 22.1.8 The council's viability studies take account of all the plan's costs to development, including infrastructure that will be delivered through planning obligations. It shows that there is sufficient viability headroom on most developments to support a CIL charge and still maintain a substantial buffer which would accommodate uncertainties. To minimise risks associated with infrastructure provision having the potential to hold back strategic development, the council intends to secure infrastructure on strategic sites through planning obligations. The provision of site-specific infrastructure through S106 offers more certainty about its delivery as legal agreements will set out what is required and by when. It is considered that this approach removes an element of uncertainty to developers that could exist if the infrastructure were to be funded through CIL. As a result of the costs associated with these obligations and the associated impact on viability, the strategic sites will have lower rates of CIL and in some circumstances they may be zero-rated. This is an appropriate approach used by a number of other charging authorities because strategic sites are less likely to be restricted by the pooling limits imposed by CIL Regulation 123.
- 22.1.9 It is important that policies within the Plan are sufficiently flexible where suitable and relevant policies have been prepared to allow for such flexibility in the event of unforeseen or changing circumstances. Some policies within the plan, such as EM7 (Nuclear Installations – Aldermaston and Burghfield and EM3 (Thames Basin heaths Special Protection Area), have been included due to particular identified risks/ constraints to population or wildlife. These policies take into account the risks but also provide some flexibility to enable development where appropriate. These policies are consistent with those in neighbouring authorities where the same constraints apply.

22.1.10 Effective monitoring will be the key mechanism to ensure a quick response to determining whether the Plan's spatial strategy and policies are being implemented successfully and whether any remedial action is required. As outlined above, a number of the policies enable the council to step in and address issues that arise over the course of the plan period, and include a mechanism for triggering a review of the plan if required.

22.1.11 The NPPF (paragraph 153) notes that local plans should be reviewed in whole or in part to respond flexibly to changing circumstances. Accordingly, the council is keen to take forward quickly the issues identified for further development plan documents, such as the allocation of a new employment site/s for industrial, storage and distribution uses and a review of current Settlement Policy Boundaries, through the development and adoption of an Allocations and Settlement Policy Boundary DPD. These issues could also be covered through a rapid review of the plan.

23. Monitoring:

23.1 *How effective will the monitoring arrangements be?*

23.1.1 The monitoring arrangements will effectively monitor the impact of the plan. The requirement to monitor plans was originally set out in the Planning and Compulsory Purchase Act 2004. This was amended by the Localism Act 2011 and subsequent secondary legislation in the Town and Country Planning (Local Planning (England)) Regulations 2012. This prescribes that local planning authorities must monitor the Development Plan over a period of no longer than 12 months.

23.1.2 The plan sets out the implementation and monitoring arrangements for each policy following the relevant supporting text. These indicators will be monitored annually with the outcomes published through the council's Authority Monitoring Report (AMR) (BD02).

23.1.3 The monitoring framework sets out a realistic, proportionate and robust monitoring regime which will illustrate if the plan's objectives are being met. Regular monitoring will enable the effectiveness of the plan to be measured and identify if interaction is required. The AMR will also continue to provide other relevant contextual data.

23.1.4 Table 1 of the Local Plan shows how the policies are designed to deliver the objectives. Appendix 1 provides a summary of how the objectives and policies will be monitored.

23.1.5 Policy SS4 additionally covers relevant issues, including monitoring the supply of deliverable sites, and highlights the phasing of housing delivery proposed in SS1. A review of the Local Plan will be triggered if a future five year supply of specific deliverable sites cannot be demonstrated. Given potential concerns regarding the impact of new development on water quality, Policy SS4 also states that where monitoring indicates a likely deterioration in individual elements band status of the borough's water bodies, the council will resist granting further planning applications where this would exacerbate such deterioration in the relevant catchment. The outcomes of the Environment Agency's water quality monitoring will be included in the AMR.

Appendix 1: Summary of how the objectives and policies of the Submission Local Plan will be monitored

Objective Reference	Objective	Local Plan Policy	Policy Monitoring Indicators
Prosperous and Thriving			
A (sustainable growth)	Maintain and enhance the borough's position as a prosperous economic centre with a diverse economy by supporting a range of employment sectors through the availability of employment land and premises of the right quality, type, location and size. This will be delivered through the protection and regeneration and/or redevelopment of the established strategic employment areas (such as Basing View) and the allocation of a new employment sites	SS8	The determination of relevant planning applications at Basing View.
		EP1	Annual monitoring data on economic floor space completions and planning application approved for change of use. Annual monitoring of net new jobs.
		EP2	Annual changes in the supply of employment land and space, completions (net) of employment space, annual reports on vacancy levels at employment sites within SB, future updates to ELR
		EP3	Retail floor space levels, broken down by use class. relevant planning

	through a future DPD.		permissions inside and outside of identified centres (not covered by AM), use of health check criteria including vacancy levels, footfall & crime statistics. Updated retail assessment.
		EP4	Changes in the supply of economic/ employment land and floorspace in the rural area outside of SPB. Net completions of employment space outside of SPB. Proposals for farm diversification schemes and conversion/re-use of buildings outside of SPB.
B (sustainable transport)	Reduce the need to travel, providing sustainable and fully accessible transport opportunities, and promoting walking and cycling across the borough. Work in partnership to address issues around junction 6 of the M3 and the delivery of strategic transport infrastructure.	SS11	The determination of relevant planning applications .
		CN6	Annual monitoring and updates to the IDP and Regulation 123 List , and monitoring of relevant Legal Agreements as planning obligations are triggered.
		CN9	The number of Section 278 agreements signed or S106 agreements/CIL contributions towards transport infrastructure.
		EP4	Changes in the supply of economic/ employment land and floorspace in the rural area outside of SPB. Net completions of employment space outside of SPB. Proposals for farm

			diversification schemes and conversion/re-use of buildings outside of SPB.
C (education/skills)	Facilitate a well-educated and highly skilled local population and workforce with strong connections to the local business community and opportunities to access high quality education and jobs with lifelong learning for all.	CN6	Annual monitoring and updates to the IDP and Regulation 123 List , and monitoring of relevant Legal Agreements as planning obligations are triggered.
		CN7	Monitoring of applications involving loss of essential services through the annual monitoring process.
D (attractiveness to workers, residents and visitors)	Strengthen Basingstoke Town Centre's role as a destination of choice, for residents, workers and those living outside the borough for retail, culture and leisure. Progress the Central Area Vision and the new Town Centre Programme to achieve a well-connected, vibrant and attractive town centre, while supporting a distinctive cultural and historic area at the Top of the Town.	CN7	Monitoring of applications involving loss of essential services through the annual monitoring process.
		CN8	The objectives and action plans of the relevant council strategies including the Strategic Plan for Sport and Recreation, Cultural Strategy, Community Buildings Strategy and Community Plans.
		EM5	Relevant information will be monitored through annual monitoring process, implementation and delivery of Green Infrastructure Strategy and its Action Plan and working in partnership with Natural England and the Hampshire and Isle of Wight Local Nature Partnership

		EM10	Building for Life assessments.
		EP1	Annual monitoring data on economic floor space completions and planning application approved for change of use . Annual monitoring of net new jobs .
		EP3	Retail floor space levels , broken down by use class. relevant planning permissions inside and outside of identified centres (not covered by AM), use of health check criteria including vacancy levels, footfall & crime statistics. Updated retail assessment.
E (thriving rural economy)	Promote a thriving rural economy with a network of vibrant towns and villages which provide homes, services, jobs and infrastructure to respond to the needs and aspirations of local communities.	SS6	Annual monitoring of housing completions outside of SPB including new build, conversions, replacement dwellings and the number on previously developed land.
		CN2	The delivery of rural exception sites through annual monitoring and assessing housing completions in the rural area.
		CN7	Monitoring of applications involving loss of essential services through the annual monitoring process.

		EP4	Changes in the supply of economic/ employment land and floorspace in the rural area outside of SPB. Net completions of employment space outside of SPB. Proposals for farm diversification schemes and conversion/re-use of buildings outside of SPB.
		EP5	Changes in the supply of tourism floorspace in the rural area outside of SPB.
Connected and Vibrant			
F (new homes and infrastructure)	Focus the provision for new housing and supporting infrastructure within a number of development sites around Basingstoke town, with local level housing provision in our other main settlements, and homes which respond to local needs in smaller settlements.	SS1, SS3	Annual monitoring of all housing completions including the number of units (and where there is a net loss) and the location of the houses, through the Authority Monitoring Report.
		SS4	Annual monitoring of water quality by the Environment Agency
		SS4	Annual monitoring of housing completions and the preparation of a housing trajectory to set how the borough will provide a five year supply of housing sites
		SS5	Annual monitoring on the progress on the adoption and delivery of Neighbourhood Plans and Development Orders. Annual monitoring of new residential

			development which will contribute towards the targets set out in the policy.
		SS6	Annual monitoring of housing completions outside of SPB including new build, conversions, replacement dwellings and the number on previously developed land.
G (delivery of infrastructure)	Ensure that infrastructure is planned for prior to development and delivered alongside development to meet the changing needs of our residents and employers, including the broader infrastructure needs of an increasingly ageing population. This will include the provision of flexible accommodation that responds to varying needs and supports mixed and inclusive communities with the opportunity for social interaction.	SS3	
		CN1	Assessing affordable housing completions and housing delivery through AM. Assessing delivery against the council's Housing Strategy targets.
		CN3	Annual monitoring of housing types, sizes and tenures of housing completions.
		CN6	Annual monitoring and updates to the IDP and Regulation 123 List, and monitoring of relevant Legal Agreements as planning obligations are triggered.
		CN7	Monitoring of applications involving loss of essential services through the annual monitoring process.
		CN8	The objectives and action plans of the relevant council strategies including the Strategic Plan for Sport and Recreation, Cultural

			Strategy, Community Buildings Strategy and Community Plans.
H (housing mix)	Provide new housing which incorporates a mix of tenure, size and type to meet the borough's needs and enable accommodation for all, including older people and downsizers, smaller households, families, and resident gypsy and travellers.	CN1	Assessing affordable housing completions and housing delivery through AM. Assessing delivery against the council's Housing Strategy targets.
		CN2	The delivery of rural exception sites through annual monitoring and assessing housing completions in the rural area.
		CN3	Annual monitoring of housing types, sizes and tenures of housing completions.
		CN4	Annual monitoring of housing types, sizes and tenures of housing and specialist accommodation completions.
		CN5	The annual monitoring of the supply of sites and planning applications for Gypsy, Traveller and Travelling Showpeople Sites, and through regular updates to the GTAA. The need for transit sites within the borough will be investigated through further evidence based work undertaken on a cross boundary basis.

		EM10	Building for Life assessments
I (regeneration)	Promote and support successful regeneration and renewal schemes to improve social, built and natural environments, and improve housing and employment areas of poor quality. This will be delivered through a partnership approach and close working with local communities and businesses to address existing pockets of deprivation and reduce inequalities at a neighbourhood level.	SS2	Annual monitoring of housing completions , and the monitoring framework set out in the Neighbourhood Renewal Strategy.
		SS8	The determination of relevant planning applications , and in accordance with any additional monitoring established in the SPD.
		EM10	Building for Life assessments
J (healthy lifestyles)	Promote healthy lifestyles by maintaining and enhancing the quality and value of community, health, cultural, leisure and recreational facilities and open spaces that support and provide opportunities for participation in social and physical activity in local communities and good access to health services.	SS9	The Action Plan of the Strategic Plan for Sport and Recreation (2012-2025), annual monitoring of retail and leisure completion data and updates to the Leisure and Recreation Needs Assessment.
		CN7	Monitoring of applications involving loss of essential services through the annual monitoring process.
		CN8	The objectives and action plans of the relevant council strategies including the Strategic Plan for Sport and Recreation, Cultural Strategy, Community Buildings Strategy and

			Community Plans.
Environmentally responsible and distinctive			
K (sustainable energy use)	Minimise our contribution to climate change and its effects through more efficient use of energy and natural resources and increased use of renewable and low carbon energy infrastructure, as well as mitigating and adapting to climate change.	EM8	The annual collection of information on the installation of renewable and low carbon technology.
		EM9	The policy will be monitored through ensuring submission of final Code certificates and post-construction BREEAM certificates and annual monitoring.
		EM10	Building for Life assessments
L (high quality design)	Ensure high quality and locally distinctive design which responds to local character to create inclusive, well connected and safe neighbourhoods by reducing the fear of crime and anti-social behaviour.	EM1, EM2, EM10	The objectives and action plans of the relevant strategies and plans set out in the supporting text of the policy. Working in partnership with Natural England and North Wessex Downs AONB.
		EM2	
		EM10	Building for Life assessments
M (water and flooding)	Conserve, manage and monitor the borough's waterways, reducing the risk of flooding and consequences of pollution through partnership working, active flood management and appropriate mitigation	EM6	The Environment Agency, water companies and the council through a detailed monitoring plan to ensure compliance with the Water Framework Directive and relevant River Basin Management Plans. Reporting of the annual monitoring undertaken by the

	approaches.		Environment Agency, and updates to the SFRA.
		EM7	Working in partnership with the Environment Agency, Water Companies, Natural England and the Lead Local Flood Authority (LLFA), annual monitoring , updates to the SFRA, the council Surface Water Management Plan.
		EM9	The policy will be monitored through ensuring submission of final Code certificates and post-construction BREEAM certificates and annual monitoring.
		EM12	Working in partnership with the Environment Agency and annual monitoring.
N (biodiversity)	Protect and enhance the borough's biodiversity and the locally distinctive character of our priority habitats and landscapes, such as the North Wessex Downs AONB, through protection, partnership working, conservation and active management.	EM1	The objectives and action plans of the relevant strategies and plans set out in the supporting text of the policy. Working in partnership with Natural England and North Wessex Downs AONB.
		EM3	
		EM4	The objectives and action plans of the relevant strategies and action plans outlined in the supporting text of the policy. Working in partnership with Natural

			England, the Hampshire and Isle of Wight Local Nature Partnership and Hampshire Biodiversity Information Centre.
		EM5	Annual monitoring, implementation and delivery of the Green Infrastructure Strategy and Action Plan. Also monitored through working in Partnership with Natural England and the Hampshire and Isle of Wight Local Nature Partnership.
O (historic environment)	Proactively manage the borough's rich historic and built environment to protect and enhance its quality and distinctiveness while accommodating change. This highly varied resource ranges from conservation areas, to listed buildings including the large country houses to numerous brick, flint and timber framed farm buildings and cottages distinctive of our rural areas.	EM1	The objectives and action plans of the relevant strategies and plans set out in the supporting text of the policy. Working in partnership with Natural England and North Wessex Downs AONB.
		EM10	Building for Life assessments
		EM11	The objectives and management plans of the relevant documents, as set out in the text of the policy, including number of properties on the " at risk " register and number of Conservation Area Management Plans adopted.

