



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
COUNCIL
16 JULY 2020**

BRADWELL DEVELOPMENT PLAN DOCUMENT - HOUSING

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to inform Council of the potential need to provide housing, within the District, to meet the need of Bradwell B Power Station once operational. To ensure that the Council has control of the location and magnitude of housing it is proposed to deliver a Development Plan Document (DPD), as resolved by the Council in February 2020. This report highlights the key housing issues and Member input required to deliver the DPD.

2. RECOMMENDATIONS

- (i) That Members to endorse the approach that Maldon District Council seeks to ensure that housing demand created through the provision of a new nuclear power station at Bradwell, once operational, will be within the District, and defined within a Development Plan Document;
- (ii) That a workshop to be provided for all Members which will include the opportunity to provide comment on the principles of delivering housing to meet the need of Bradwell B Power Station once operational.

3. SUMMARY OF KEY ISSUES

3.1 Bradwell B Nuclear Power Station

- 3.1.1 Current Government policy is that new nuclear power stations are a key component of the County's future energy generation strategy. The National Policy Statement for Nuclear Power Generation (NPS EN-6) (2011) explains that there is an urgent need for new nuclear power stations and identifies Bradwell as one of eight sites considered suitable for the siting of a new nuclear power station.
- 3.1.2 China Generation Nuclear Power Corporation (CGN) and EDF Energy are partnering together to develop proposals for the Bradwell B nuclear power station. The Stage One Consultation is currently underway.
- 3.1.3 Once operational it is estimated that there will be almost 1,000 jobs created at the new power station. It is envisaged that a large number of these future employees will wish

to locate in close proximity to the site of the proposed new power station within the District of Maldon.

- 3.1.4 The increased housing demand, resulting from the growth in operational jobs, means that it is very likely that there will be significant pressure on the existing local housing market within the District, which is likely to lead to the need to provide additional housing to meet this demand.
- 3.1.5 It is anticipated that there will also be wider growth in the local economy during both the construction and the operational phases, such as support services and supply chain sectors. It is anticipated that expansion of the local economy will be likely to generate additional growth in the local labour force and population. This will generate demand for additional housing and associated infrastructure and will further impact on the existing local housing market.
- 3.1.6 Planning permission to build Bradwell B (plus associated developments such as roads and construction worker accommodation), a Nationally Significant Infrastructure Project (NSIP), would be granted through a Development Consent Order (DCO). This would be granted by the relevant Secretary of State, who would be advised by the UK Planning Inspectorate.
- 3.1.7 A DCO is different from normal Town and County Planning Act (TCPA) planning applications where the decision maker is the relevant local authority. In the case of DCOs Local Authorities do not have a decision-making role but are important consultees throughout the development of the proposals.
- 3.1.8 However it is possible for the longer-term housing demand to be identified and delivered via the Local Development Plan (LDP) process, and in this case through the development of a Development Plan Document (DPD).
- 3.1.9 Whilst officers are looking for strategic guidance it is important to note that the decision on the provision of new housing, including numbers, type and location, will need to be based on a sound and robust evidence base, prepared in accordance with the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

3.2 Maldon District Council's current stance

- 3.2.1 In February 2020 the Council approved the preparation of a DPD to provide an adopted planning policy framework and to provide clarity on the Council's vision and development strategy in relation to the wider development impacts and opportunities arising from the development of a new nuclear power station at Bradwell-on-Sea.
- 3.2.2 A focused DPD has a number of advantages compared to incorporating this element of development strategy within a wider update of the Local Development Plan.
- 3.2.3 A DPD will be quicker to prepare than an update of the LDP. It could therefore provide a basis to inform earlier discussions on Bradwell B and to identify early opportunities to seek to influence peripheral aspects of the Bradwell B project, to better support the District's wider vision and development strategy. This can help to secure an improved legacy for the District.

- 3.2.4 A standalone DPD can also be readily placed to one side if Bradwell B does not proceed, without undermining the policies of the existing LDP. (The work undertaken, however, would not necessarily be unproductive as it could inform any subsequent review of the LDP.)

3.3 **Future Housing Provision**

- 3.3.1 Maldon District Council's position regarding meeting the need for new housing generated through the new nuclear power station being operational is:
- (i) that Maldon District Council seek to ensure that housing demand created through the provision of a new nuclear power station at Bradwell, once operational, will be within the District.
 - (ii) that Maldon District Council encourages that any permanent housing is not delivered through the Development Consent Order.
- 3.3.2 However, these points will be regularly reviewed to ensure that they are still the appropriate position, for the Council, based on emerging evidence and information.
- 3.3.3 To address the likely impact of the development of Bradwell 'B' on the housing market within the District and to maximise the delivery of development and associated infrastructure, whilst taking into account the remote nature of the site for the new power station and Maldon District Council's (MDC) aspiration / commitment in supporting sustainable development, it is considered that MDC should seek to ensure that new housing is provided within the District in appropriately evidenced locations.
- 3.3.4 The 2014 Strategic Housing Market Assessment (SHMA) highlighted two local factors which have the potential to further exacerbate pressures on the local housing market. These could arise where increased employment opportunities within the District lead to inward migration of people to undertake these roles.
- 3.3.5 Firstly, income levels for those residents currently working within the District are considered extremely low. This is likely to result in local residents finding it more difficult to compete within the local housing market.
- 3.3.6 Secondly, the SHMA shows that the District has a disproportionately high number of dwellings with three or more bedrooms and has less than half the national average of one- and two-bedroom units. Around 71% of all owner-occupied properties have three or more bedrooms. The Council is currently encouraging a greater proportion of smaller units through its Local Development Plan 2014-2020 (LDP) to meet the identified needs and demands.
- 3.3.7 Furthermore, the provision of new housing developments, of more than 10 units, will be expected to contribute towards affordable housing provision.

3.4 **Maldon District Council's Planning Policy Position**

3.4.1 Planning law and Government policy within the NPPF, is clear that planning applications must be determined in accordance with the Development Plan unless material consideration.

3.4.2 Maldon District Council benefits from a relatively recently adopted (July 2017), and therefore up to date, LDP. This means that in most instances the Council is in a stronger position to defend adversarial planning applications.

3.5 **Local Development Plan and Bradwell B**

3.5.1 The LDP only has one policy reference to a new nuclear power station, under Policy D4:

“The Council will strongly support the principle of the development of a new nuclear power station at Bradwell-on-Sea.”

3.5.2 It is important to note that the LDP does not take into consideration the wider impacts of a new nuclear power station being built, including its impacts on housing, on the district. Paragraph 3.43 states:

“Given the uncertainty of the project, the possibility and impacts of a new nuclear power station in the District will not be considered further at this stage. The situation will be monitored by the Council, and if required local planning policy may be reviewed to consider any future power station proposals.”

3.6 **Local Development Plan and Housing**

3.6.1 Since 2012 there has been a greater pressure from the Government for local planning authorities to ensure that they “*significantly boost the supply of new homes*”. This is currently achieved by the Council establishing a minimum local housing need figure for new homes within the District, which then informs a quantitative local housing requirement. This approach called the ‘Standard Methodology’ was introduced in 2018. Councils are also monitored on the delivery of new homes within their area, against the identified housing requirement figure and range of penalties can be imposed on the planning system in the district as a result of poor performance.

3.6.2 The LDP seeks to deliver a range and volume of housing to meet the needs of the District by 2029; which amounts to a minimum of 4,650 dwellings, or 310 homes per annum. The vast majority of the housing is to be delivered through a number of allocated strategic sites and predominately in the form of Garden Suburbs. As can be seen from the **APPENDIX 1** nearly all of these allocated sites already benefit from planning permission and had either been completed or are under construction.

3.6.3 A number of developments that fall outside of the LDP allocations, known as windfall sites, also benefit from planning permission.

3.7 Five Year Housing Land Supply

- 3.7.1 As part of the drive to deliver new homes the Government has stated that there is a need for councils to demonstrate that there are sufficient sites available to meet the housing requirements for the next five years; this is known as the Five Year Housing Land Supply (5YHLS). If a council has an up-to-date Local Plan, it should be relatively straightforward to demonstrate a supply of deliverable sites for the next five years. An up to date Local Plan will have identified enough sites for housing development to meet the housing requirement. The Planning Policy Guidance states that the 5YHLS is:

“A 5 year land supply is a supply of specific deliverable sites sufficient to provide 5 years’ worth of housing (and appropriate buffer) against a housing requirement set out in adopted strategic policies, or against a local housing need figure, using the standard method, as appropriate in accordance with paragraph 73 of the National Planning Policy Framework.”

- 3.7.2 Where a Local Planning Authority is unable to demonstrate that it has a 5YHLS, the presumption in favour of sustainable development will apply. This is set out in paragraph 11d of the National Planning Policy Framework which states:

“For decision taking this means:

“(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

“(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or

“(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

- 3.7.3 What this means in practice is that when a council does not have a 5YHLS, the adopted policies that are relevant to the supply of housing are considered to be out-of-date. This is a ‘material consideration’, the consequence of which means planning applications are then decided on the basis of national policies with regard to housing supply, rather than the LDP. In essence, that means that if a site can be considered to otherwise be ‘sustainable development’, then planning permission should be granted.
- 3.7.4 The consequence of not having a 5YHLS is therefore, that councils start to lose a degree of control over where new homes are built. In these circumstances, if a developer submits an application to build homes on a site that is in a sustainable location, councils will often have to approve that application, even if it is not a preferred site. When councils choose to resist these applications, they are often subsequently allowed at appeal.
- 3.7.5 MDC has undertaken a full assessment of the 5YHLS within the District and it has concluded that the Council is currently able to demonstrate a supply of specific deliverable sites sufficient to provide for more than five years’ worth of housing against the Council’s identified housing requirements.

- 3.7.6 However, it is not considered that there is any additional capacity in the supply of identified deliverable housing sites, taking into account the delivery of homes to date on the strategic sites, to meet additional demand arising from the development of a new nuclear power station at Bradwell-on-Sea. If the Council does not identify additional housing supply it is likely that the Council will not be able to sustain its current 5YHLS position, which would have negative consequences on the Council's ability to coordinate and manage the locations of new development.

3.8 Maldon District Council's Future Planning Policy Framework

- 3.8.1 An adopted development strategy will provide clarity on the Council's vision and development strategy in relation to the wider development impacts and opportunities arising from the development of a new nuclear power station at Bradwell-on-Sea. The development strategy provides an opportunity to set out how the District intends to accommodate the resulting growth demands, such as increased need for additional homes, employment space and supporting infrastructure.

3.9 Delivery Options

- 3.9.1 At this time the Council is unsure of the level of housing that will be required; this will be determined through a formal evidence-based approach which includes updating the Local Housing Needs Assessment and including a specific section on the impacts from BRB and associated growth.
- 3.9.2 However, it is considered appropriate to seek some guidance on the suggested methods of delivering the various levels of development potentially to come forward; once again that the final decision will need to be evidenced based.
- 3.9.3 Whilst officers may consider that some of the options below are unlikely to be the level of housing required to meet the increase in demand from the new nuclear power station, either as they are too small or too large, it is considered appropriate to still consider the various options possible.
- 3.9.4 It is considered appropriate for a workshop to be facilitated for all Members which will feed in to the Council direction of travel in relation to the housing aspect of the DPD. The workshop should consider the levels of housing in the categories laid out below.
- No real demonstrable impact;
 - Minimal impact (under 100 houses);
 - Small impact (between 100 and 500 houses);
 - Medium impact (between 500 and 1,000 houses);
 - Large Impact (between 1,000 and 2,000 houses);
 - Substantial impact (over 2,000 houses).

4. CONCLUSION

- 4.1 The provision of a new nuclear power station is very likely to have a significant and demonstrable impact on the existing housing market within the District; this is likely to lead to the need to provide additional housing. Whilst officers are keen to seek guidance from the Council the final decisions are required to be evidence-based. However, it is considered appropriate to have a workshop for Members to provide some direction of travel for the location of new housing requirements born out of the new nuclear power station.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The delivery of good quality housing which meets the needs of the District will have positive impact on the corporate goals of which underpin the Council's vision for the District, in particular Sustainable growth and new infrastructure and Protected and improved environment for residents and visitors.

6. IMPLICATIONS

- (i) **Impact on Customers** – There is a need to ensure the effective delivery of the service to customers in the immediate and longer term.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – Potential cost of defending planning appeals for adversarial developments and the production of new planning policies.
- (v) **Impact on Resources (human)** – To continue to be identified through the management of the service.
- (vi) **Impact on the Environment** – Failure to have an effective planning policy position could result in an adverse impact on the environment resulting in long term harm which might be difficult to mitigate.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers: None.

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