

**Paper originally tabled at Full Council on the 9th December 2010**

**Agenda Item No 9**

**Interim Housing Policy – Large Sites**

**Further changes to the policy**

## INTERIM HOUSING POLICY – LARGE SITE

### Further Changes to the Policy

Following the conclusion of discussions between the Council’s Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) consultants (Enfusion) with CCW a Habitat Regulations Assessment Screening Report has been prepared.

This suggests minor changes to the policy and reasoned justification and these are highlighted in the table below:

Part of policy to be Amended	Current Wording in Original Report to Full Council	Recommended Further Amendment to the Policy (amended text in BOLD)
Criteria (vi) in the Policy	(vi) That the site is considered suitable as an extension to the settlement <b>and would not have an unacceptable impact on biodiversity interests and linkages</b> , landscape <b>and environmental</b> impact.	(vi) That the site is <b>assessed for its suitability</b> as an extension to the settlement <b>in terms of its</b> biodiversity interests <b>(including connectivity) and wider</b> environmental/ <b>sustainability</b> impacts.
Paragraph 21 (Reasoned Justification to criteria (iv))	No change to existing text.	Add in the following sentence at the end of existing text: <b>In line with legal requirements under the Habitats Regulations and in consultation with CCW, EAW and Welsh Water, development proposals must ensure that the water supply necessary for the development can be supplied sustainably (and without adverse effects</b>

Part of policy to be Amended	Current Wording in Original Report to Full Council	Recommended Further Amendment to the Policy (amended text in BOLD)
		<b>on European sites).</b>
Paragraph 27 (Reasoned Justification to criteria (vi))	A sustainability report will be required to satisfy the LPA that the development of the proposed site will not have an adverse harm on the environment or a specific designation. <b>In sensitive locations there may be a requirement to undertake screening for a Habitat Regulations Assessment and/or an ecological report on protected species [possibly inclusion of reference to Environmental Impact Assessment requirements and confirmation over this approach for HRA - awaiting Enfusion feedback].</b>	A sustainability report will be required to satisfy the LPA that the development of the proposed site will not have an adverse harm on the environment, specific designation <b>and protected species. In line with the Habitat Regulations and in consultation with CCW, there are requirements in law for project level assessments to be undertaken where there are potential significant effects on European sites. To conform with these requirements, any development that could have an adverse effect on a European site that cannot be mitigated for will not be supported.</b>

It is intended to publish the Habitat Regulations Assessment Screening Report with the adopted policy and supporting SA/SEA report.

At the Executive meeting on the 30<sup>th</sup> November, 2010 it was resolved to make the following additional changes to the policy:

Part of policy to be Amended	Current Wording in Original Report to Full Council	Recommended Further Amendment to the Policy (amended text in BOLD)
Paragraph 18 (the last sentence)	“...Subject to justification through a viability study, the Council will consider entering a legal agreement regarding phasing the affordable housing provision in line with the current market conditions.”	“...Subject to justification through a viability study, the Council will <b>enter a Section 106</b> legal agreement regarding...”
Paragraph 29	“Compliance with this policy does not prevent the Council from seeking planning gain in accordance with its SPG on Planning Obligations and national planning policy.”	“ <b>The Council will seek</b> planning gain in accordance with its SPG..”

**Recommendation: That these amendments are incorporated within the Council’s adopted policy.**