

<b>Subject:</b>	Local Plan-update	<b>Status:</b>	For Publication
<b>Report to:</b>	Council	<b>Date:</b>	28 <sup>th</sup> September 2016
<b>Report of:</b>	Planning Manager	<b>Portfolio Holder:</b>	Operational Services and Development Control
<b>Key Decision:</b>	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required:	Yes/No	Attached: Yes/No
<b>Biodiversity Impact Assessment</b>	Required:	Yes/No	Attached: Yes/No
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1.	<b>RECOMMENDATION(S)</b>
1.1	That Council support the internal and external consultation process proposed for the Local Plan, provide input on how this should most appropriately be delivered and authorise a revised Local Development Scheme (LDS).
1.2	All future minor amendments to the Plan to be delegated to the Planning Manager in consultation with the Portfolio Holder.

## 2. PURPOSE OF REPORT

- 2.1 To inform Council of the next stages of the internal and external consultation process on the Local Plan

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.
  - **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.
  - **Clean Green Rossendale:** This priority focuses on clean streets and town centres and well managed open spaces, whilst recognising that the Council has to work with communities and as a partner to deliver this ambition.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- The preparation of Consultants' reports identifies unexpected challenges in Project delivery
  - Internal consultation identifies a number of changes required to the Plan prior to public consultation
  - Member consultation identifies concerns both about overall strategy and developments in individual's wards

## 5. BACKGROUND AND OPTIONS

- 5.1 Council authorised formal abandonment of the Site Allocations and Development Management DPD and the production of a new Local Plan at their 24<sup>th</sup> February 2016 meeting. A Local Development Scheme setting out the new timetable was also approved.

- 5.2 Since the last Report there has been a “Call for Sites” exercise where the public and developers were invited to submit land for development. 90 submissions have been received though a number of these already have planning permission. A detailed appraisal exercise is being undertaken of these and other known sites as part of the development of the Strategic Housing Land Area Assessment (SHLAA).
- 5.3 Considerable progress in developing an evidence base for the Plan. The following Studies have been commissioned:
- *Strategic Housing Market Area Assessment (SHMAA)*. This will identify the Full Objectively Assessed Need (FOAN) for Rossendale-publication of further population and household figures has meant this is still being finalised at the time of writing
  - *Employment Land Study*. This includes a survey of local businesses that will provide a comprehensive picture of the views of local firms on both their current accommodation and aspirations for the future
  - *SHLAA Critical Friend Assessment*. Independent consultants have assessed the methodology used and are analysing a sample of the site appraisals to ensure the approach taken is robust
  - *Green Belt Study*. This splits the Green Belt in the Borough into over 80 separate parcels and assesses the role they play in meeting national policy
  - *Strategic Flood Risk Assessment*. Updates previous work including taking into account the implications of last December’s Floods.
  - *Gypsy and Traveller Study*. This updates previous work undertaken in 2009
  - *Environmental Corridors Study*. This will look particularly at the role of “Greenlands” identified in the 1995 Plan as well as take a strategic view of environmental corridors and their wider role.
  - *Sustainability Appraisal*. Required as part of the preparation of the Plan.

A Retail Study is also to be commissioned.

- 5.4 It is planned that one or more Briefing sessions will be held with Members with representatives from the firms who have produced some of these studies. No dates have been finalised but it envisaged this will occur in late October. This will give all members an opportunity to understand the findings more fully and to ask questions. The Evidence Base Studies will be published for information purposes prior to the publication of the draft Local Plan to give all interested parties an understanding of the information that underpins the Local Plan and influences the choices made. This consultation is envisaged to occur in November/December though the Retail Study will be published concurrently with the Local Plan to reflect its later preparation.
- 5.5 A consultation version of the Local Plan is being prepared. This will be a challenging exercise, especially given the tight timetable. The nature of the decisions that need to be made on where to locate development mean it is inevitable that certain elements of the Plan will not be universally popular. Following consideration by senior officers it is intended that a Member Briefing will be undertaken on the document with the option of a presentation to political groups. A timetable of how consultation will be undertaken both internally and externally is attached together with a revised Local Development Scheme. It is currently intended that a full six week public consultation will be undertaken in January-February.
- 5.6 The document that is currently being prepared is a draft Plan. The comments received on this will be used to inform preparation of a final Publication version of the Plan which will form the Council’s preferred document. The current Local Development Scheme indicates that

consultation on this document is scheduled to take place in summer 2017 but a date of autumn 2017 is considered more realistic. This stage of consultation can only address legal and “soundness” issues prior to all the documentation being submitted to the Planning Inspectorate for an “Examination in Public” to be held in 2018.

- 5.7 A decision has not yet been reached on whether to pursue the Community Infrastructure Levy (CIL) in Rossendale as opposed to relying on Section 106 agreements. There are benefits and challenges to both approaches. Further Government advice on the application of CIL is also awaited. Members will be consulted further on this matter before a decision is made. A Viability Study by consultants Keppie Massie was finalised earlier this year which will inform both the Local Plan and any CIL Charging Schedule. The Infrastructure Delivery Plan also informs both documents.

#### **COMMENTS FROM STATUTORY OFFICERS:**

##### **6. SECTION 151 OFFICER**

- 6.1 Members should be aware that the forecast costs for the completion of the Local Plan are estimated to be c.£300k. The Council currently has £107k set aside leaving c.£200k to be identified as funding resource.

##### **7. MONITORING OFFICER**

- 7.1 It is important to ensure that all timescales are adhered to in terms of legislation requirements.

##### **8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

- 8.1 Extensive external consultation has been undertaken as part of the preparation of a number of the Studies. The use of questionnaires will inform both the SHMA and the Employment Studies while a number of interviews have informed the Gypsy Study. Key statutory bodies such as Environment Agency and Natural England have inputted into the other studies.
- 8.2 Internal officer consultation will be important prior to the Plan going out to consultation. The Local Plan Member Steering Group has already had an important role in helping to guide the process and will continue to help shape the document. Other internal consultation will be as extensive as possible: how this will be undertaken is set out in the attached Paper.
- 8.3 Public consultation on the draft Plan will be extensive. There are over 2500 contacts on our database plus a number of public consultation events will be held and the use of social media maximised. Council’s input into methods and/or locations for consultation events would be welcomed.

##### **9. CONCLUSION**

- 9.1 The Local Plan is a key policy document for the Borough. It is important that it is evidence based to support the choices that will need to be made. Member support will be essential to ensuring that the Plan reflects the Council’s priorities.

No background papers

**Local Development Scheme and Proposals Map Timetable (September 2016)**

Local Plan

Draft Plan	Publication	Submission to Planning Inspectorate	Examination in Public	Inspector's Report	Adoption by Council
Jan/Feb 2017	Sept/Oct 2017	Feb 2018	June 2018	Nov 2018	March 2019

CIL\*

Consultation on Preliminary Draft Charging Schedule & other documentation	Consultation on draft Charging Schedule & other documentation	Submission to Planning Inspectorate	Examination in Public	Inspector's Report	Adoption by Council
Jan/Feb 2017*	Sept/Oct 2017*	Feb 2018*	June 2018*	Nov 2018*	March 2019*

DPD Preparation Stages and alignment with Town and Country Planning (Local Planning) (England) Regulations 2012			
Public Participation (Regulation 18)		Examination in Public (Regulations 23 & 24)	
Publication of the DPD and Representations (Regulations 19 & 20)		Inspectors Report (Regulation 25)	
Submission of the DPD (Regulation 22)		Adoption (Regulation 26)	

The table above shows the timetable for the preparation of the Local Plan and the Proposals Map, through to adoption in 2019.

\* A decision has not yet been taken by the Council in respect to the Community Infrastructure Levy. If it is decided to proceed, documentation will include information on Infrastructure requirements, viability and other funding sources for infrastructure as well as the Charging Schedule. It is intended, where possible, to align the consultation with that of the Local Plan in order to enable both documents to be examined as part of one large inquiry but this is dependent .

<b>CIL Preparation Stages and alignment with the Community Infrastructure Regulations 2010</b>			
Preliminary Draft Charging Schedule consultation (Regulation 15)		Examination in Public (Regulation 20)	
Draft Charging Schedule Consultation (Regulations 16)		Inspectors Report Publication (Regulation 23)	
Submission of the Charging Schedule (Regulation 19)		Adoption (Regulation 25)	

## Rossendale Local Plan Timescale

### What is the Local Plan and why produce it?

Paragraph 155 of the National Planning Policy Framework (the Framework) states “Each local planning authority should produce a Local Plan for its area”. The Framework, in line with relevant legislation, requires that applications for planning consent should be in accordance with the Local Plan unless other material considerations indicate otherwise.

National Planning Practice Guidance states the following about Local Plans:

*“Local Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design.”*

A Local Plan comprises three main elements:

- **Allocations**- identification of land for housing, employment and retail as well as areas that should be protected including Green Belt, playing pitches and areas of ecological value
- **Policies** – these set out the criteria against which different types of planning applications will be assessed and include factors such as design, access and drainage
- **Proposals Map**-sets out on an ordnance survey base the allocations and the spatial application of some policies

### Building Blocks

Local Plan allocations and policies need to be based on sound evidence. This is tested at the Examination in Public (EIP) by an independent Government Inspector. Some pieces of evidence such as a Strategic Housing Land Area Assessment (SHLAA) are specified in the Framework. The amount of information provided on other topics is at the discretion of the Local Planning Authority reflecting local circumstances. If key evidence is missing the Inspector may not find the Plan “sound” and it cannot be adopted.

In Rossendale the following pieces of work have been commissioned with expected dates of completion in 2016 in brackets:

- **Strategic Housing Land Availability Assessment (SHLAA)** – (late October)
- **Strategic Housing Market Area Assessment (SHMAA)** –(mid October)
- **Strategic Flood Risk Assessment (SFRA)** – (mid/late October)
- **Employment Land Study** – (early October)
- **Green Belt Study**- (late September)
- **Gypsy and Traveller Study** – (late September)
- **Environmental Corridors Study** – (late October)
- **Retail and Leisure Study (including tourism and town centre uses)**- (late December)
- **Sustainability Appraisal** – (late October)

Another key component of the Evidence base is the **Infrastructure Delivery Plan**. This identifies the plans of providers and where there are infrastructure deficiencies across a range of topics such as transport, education, health and utility provision. If the Council decides to implement the Community Infrastructure Levy (CIL) the Infrastructure Delivery Plan will also form an essential element of the justification for asking for contributions.

### Consultation

Consultation requirements are set out in the relevant Regulations. At the early stages of Plan preparation, up until the point that the Council agrees its final preferred Plan, the consultation requirements are very flexible and essentially up to the Local Authority to determine. This stage, covered by Regulation 18, is where preparation of the Plan is up to. The adopted Statement of Community Involvement (SCI) sets out the Council's general approach to consultation.

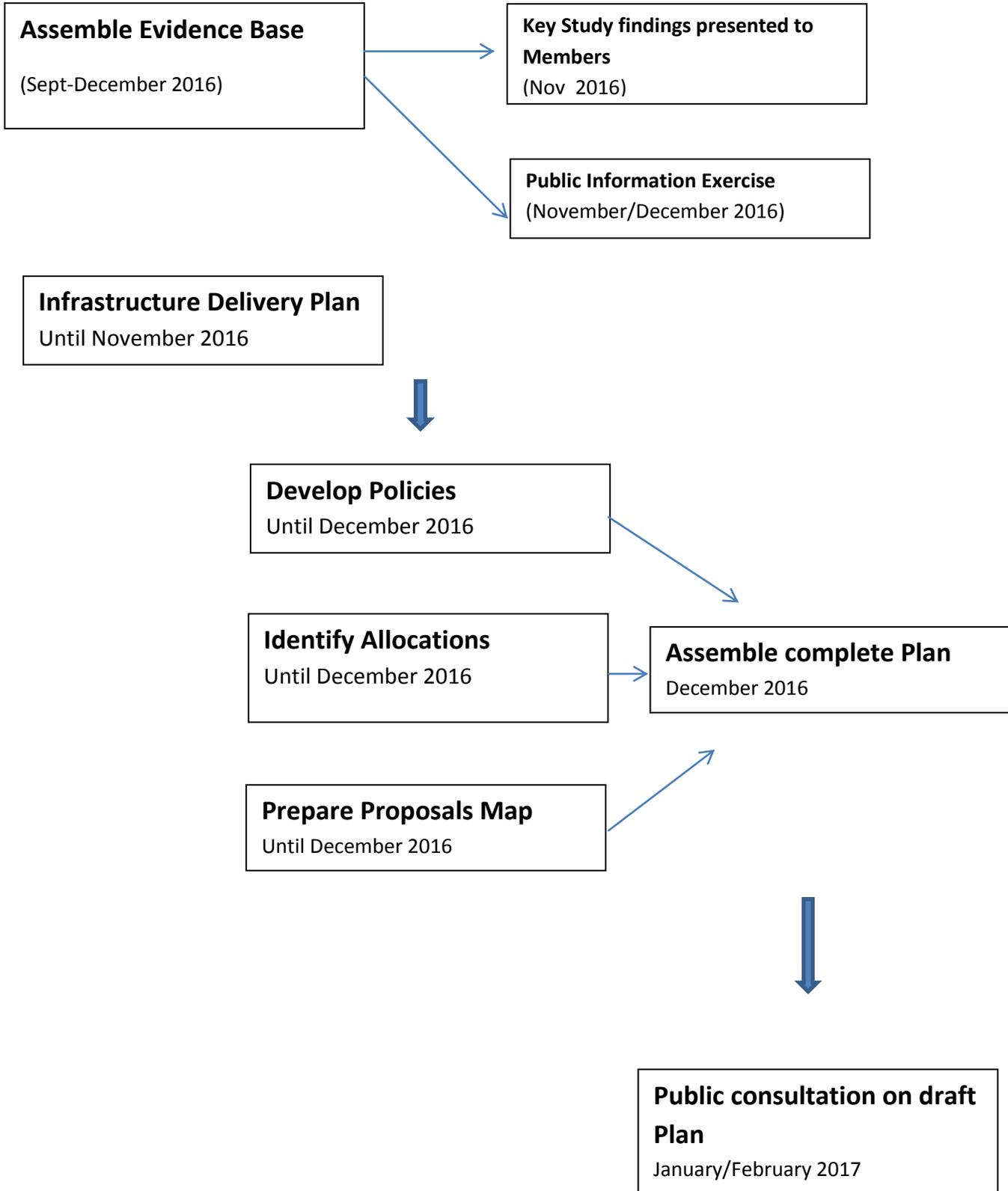
It is proposed that there will be internal consultation with key officers, including Management Team, on the contents of the draft Plan before it goes public. Members are already engaged with the process through the Local Plan Steering Group. A number of the Studies include a requirement for presentation to Councillors. It is proposed that there will also be a Training Session. A Report on the draft will be taken to full Council in December before consultation.

As the Evidence Base Studies are key building blocks for the preparation of the Plan it is intended to make these publically available as early as possible. It is envisaged this will occur in November/December. All statutory consultees, members of the public and interested parties will be notified and social media used to draw attention to the studies. A paper copy of the evidence will be available to view in the One Stop Shop at Futures Park. A drop-in event will be held at the Council Chamber to give people the opportunity to ask questions and provide clarification. The whole process is intended to give consultees and the community an understanding of the evidence underpinning the draft Plan; it is not a consultation on the content of the documents or an opportunity to change them unless factual errors are identified. It is also an opportunity for any omissions to be identified in respect of the evidence base.

In order to reflect the timing of the Studies and to ensure that there is proper internal consultation it is now proposed to go out to public consultation in January/February 2017. This will include public meetings throughout the area plus full exposure on social media. A leaflet drop has been considered to fit in with the delivery of bin calendars in December but this may not be possible.

Following consultation on the draft Plan, this will be amended to reflect the comments made. A further formal 6 week consultation on the Council's preferred Plan (Regulation 19) will then be undertaken which can only cover issues such as soundness and meeting legal requirements rather than an open debate on sites. This is now expected to occur in Autumn 2017. A Report has to be submitted to the Planning Inspectorate when the Plan is submitted for examination showing what consultation has been undertaken. The Local Development Scheme (LDS) will require amending to reflect the new timings.

**Key Stages of draft Local Plan Preparation**



## Main Consultation Timeline

*Prior to consultation on draft Plan*

Internal consultation on Evidence base – October/November

Internal consultation on draft document – November/December

External sharing of Evidence Base – November/December

Council meeting – December

*External Regulation 18 consultation - January/February 2017*

Revised Plan –internal consultation –June 2017

*External Regulation 19 (Publication version) consultation – September/October 2017*

*Submit to Planning Inspectorate – February 2018*

*Exam in Public – June 2018*

*Inspectors Report – November 2018*

*Adoption – March 2019*