



## CABINET

### Report of: Councillor Mike King Cabinet Member for Economy and Development

Report to:	<b>CABINET</b>
Date:	<b>22<sup>ND</sup> June 2017</b>
Subject:	<b>SEG44: Local Plan – Consultative Draft</b>

<b>Decision Proposal:</b>	Key Decision for the Cabinet to approve for non-statutory consultation purposes, a draft of the new Local Plan.  This report also sets out the background to the main strategic decisions which the Local Plan needs to take and the process of preparing for the next stages of the Local Plan.
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## SUMMARY

A new Local Plan will shape and guide proposals for growth and investment in South Kesteven up to 2036. It will provide greater certainty to all parties regarding the local development process and proposed planning policies for South Kesteven District.

The preparation of a new Local Plan provides the opportunity for all our communities to help shape what the District will look like over the next 15-20 years, and thereby creating the policy framework that will help guide all investment and development

decisions over the plan period. It also allows the Council to set out its ambitions for the future growth and prosperity of the District.

The process of preparing a new Local Plan offers the Council an opportunity to proactively engage with local communities, interested developers, businesses, voluntary groups, public organisations, landowners and neighbouring councils. In doing so all interested parties can positively contribute to the future look and feel of the District.

This report sets out a draft Local Plan which is recommended for Cabinet approval for the purposes of conducting initial non-statutory public consultation. The draft Local Plan represents an important stage in the overall preparation of a new Local Plan for the District and whilst non-statutory the consultation will help to shape the form and content of the District's new Local Plan.

An updated timetable for the production of the new Local Plan is set out in this report and the accompanying revised Local Development Scheme (LDS).

## **RECOMMENDATION**

1. Cabinet approves for consultation purposes the appended Consultative Draft Local Plan, its accompanying appendices and the updated Local Development Scheme.
2. Cabinet recommends that delegated authority be given to the Portfolio Holder for Economy and Development, in conjunction with the Strategic Director, to approve any minor changes or typographical corrections as may be necessary prior to the commencement of the consultation period.

## **1. BACKGROUND TO REPORT:**

### **Statutory framework and content**

- 1.1 Local Planning Authorities must prepare a Local Plan that sets planning policies for their area. These are very important considerations when deciding planning applications, as all decisions must be made in accordance with the Development Plan unless there are material planning reasons not to do so. The National Planning Policy Framework (NPPF) requires that every local planning authority in England should have a clear, up to date Local Plan that conforms to the NPPF, meets identified local development needs and reflects local people's views about how they wish their community to develop. The plan preparation process should fully involve everyone with an interest in the document or area, and they should have had the chance to comment.
- 1.2 The new Local Plan will set out policies and proposals for the period up to 2036, so there is an additional 10 years of development needs to be anticipated and accommodated beyond our current adopted development plans. An updated vision and revised strategic objectives have been prepared to coincide with this extended timeframe.

- 1.3 This stage of the plan preparation process proposes draft policy wording and provisional site allocations for the purpose of public consultation.
- 1.4 The new Local Plan is necessarily a long and comprehensive document which contains policies for the physical development or protection of all our towns, villages and countryside. For this reason a summary is included and an even shorter synopsis of the key new policies and the continuing tried and tested ones can be found in the Foreword.

### **Consultative Draft Local Plan – process and timetable**

- 1.5 The following table shows where we currently are in the proposed process for the preparation, submission and adoption of the Local Plan:

#### **Table 1: Local Plan Process**

##### **1: Identify issues and collect evidence:**

Review existing policies and identify any current gaps in policies or evidence base. Undertake research that will inform the Local Plan.

##### **2: Consult (Scoping document) – January 2015:**

The Council informed stakeholders and the public that a new Local Plan was being produced and asked for views on what the plan should cover. The consultation was open for a 6 week period.

##### **3: Sites and Settlements consultation – July 2016:**

Consultation on initial appraisal of sites promoted for development and initial review of settlement hierarchy. Consultation was open for a 6 week period.

##### **4: Prepare Consultative Draft Local Plan – up to June 2017:**

Combining the updated evidence base, technical assessments, consultation responses and internal comments enabled the prepared of a draft Local Plan.

##### **5: Consult - Public consultation on Consultative Draft Local Plan – July/August 2017.**

The Council will consult with stakeholders and the public on the draft Local Plan for a minimum of 6 weeks.

##### **6: Improve the Plan:**

The Council will take on board comments received during the consultation and any further evidence base items to improve the Local Plan ready for formal consultation in readiness of submitting it for Examination in Public.

##### **7: Publish the Plan (Publication):**

The Plan is available for stakeholders and the public to comment on for a minimum of 6 weeks. In accordance with the Local Plan Regulations, this consultation is formal and statutory seeking specifically to establish the Plan's soundness for Examination in Public.

##### **8: Submit:**

The Council will assess the comments received during consultation. If it considers that the Local Plan is sound, the Plan can be submitted for Examination in Public (EiP). If the Authority wishes to improve the plan, then stages 6 and 7 are repeated.

**9: Examine:**

The Plan is examined by an independent Planning Inspector who will conduct an EiP.

**10: Adopt:**

If the independent Planning Inspector finds the Local Plan sound, the Plan can be adopted by the Authority. If the Inspector does not find the Local Plan sound, the process goes back to stage 6.

1.6 This timetable is reflected in revised Local Development Scheme which is appended to this report and is also recommended to Cabinet for approval.

### **Overview and Scrutiny Considerations**

- 1.7 The development of the Consultative Draft Local Plan has been the subject of previous reports to the Growth PDG and more recently to the Growth Overview and Scrutiny Committee. In addition, regular monthly informal workshops have been held for all members regarding the preparation of the Local Plan.
- 1.8 A full draft of the Local Plan is due to be considered by the Growth Overview and Scrutiny Committee at its meeting on 21<sup>st</sup> June. The outcome of that meeting will then be reported to Cabinet and any amendments can be agreed at this Cabinet meeting. In addition, it is also recommended that delegated authority is given to the Portfolio Holder for Economy and Development, in conjunction with the Strategic Director, to approve necessary changes or typographical corrections prior to the commencement of the consultation period.

## **2. OTHER OPTIONS CONSIDERED**

- 2.1 This Consultative Draft Local Plan has been informed by a substantial evidence base, including assessments of objectively assessed housing and employment needs. Two stages of informal consultation have been undertaken regarding the scope of the Local Plan and an initial assessment of potential sites and settlement hierarchy.
- 2.2 The process of preparing a new Local Plan offers the Council an opportunity to proactively engage with local communities, developers, businesses, voluntary groups, public organisations, landowners and our neighbouring councils so that we can all appreciate what they think the future of the District should look like and for other possible options to be put forward for consideration. Responses to consultation will help to shape the final document.
- 2.3 The only other option would be for the Council not to undertake the production of the Local Plan. This would not be in line with Government expectations and would also lead to development proposals coming forward in an uncoordinated way with no long term strategic direction to guide growth. This is not

considered to be in the best interests of the District, its communities, residents and businesses.

### **3. RESOURCE IMPLICATIONS**

3.1 The costs of the production of the Consultative Draft Local Plan and of conducting the accompanying consultation exercise are covered in existing budgets.

### **4. RISK AND MITIGATION**

4.1 The Council has a definitive statutory duty to keep its Local Plan and planning policies under review. Failing to prepare a Local Plan therefore carries significant risks, not only to the Council but also through the impact on communities. Equally, significant delays in the preparation and production of the Local Plan would carry similar risks, including limiting the Council's ability to properly manage development.

4.2 The consequences of not having an up to date Local Plan include that: development is not sustainable; development harms the environment; needs for housing and other development needs fail to be properly met; hostile planning applications are promoted if the Local Plan is found unsound or delayed; and the potential costs of challenge. Approving the recommendations in this report will enable the Council to progress with the Local Plan.

### **5. ISSUES ARISING FROM IMPACT ANALYSIS (EQUALITY & DIVERSITY)**

5.1 There are not to be considered to be any direct equality issues arising from this report.

### **6. CRIME AND DISORDER IMPLICATIONS**

6.1 There are not to be considered to be any direct crime and disorder issues arising from this report.

### **7. COMMENTS OF FINANCIAL SERVICES**

7.1 The financial implications of delivering the recommendations set out in this report will be met from existing resources contained in the 2017/18 budget framework.

### **8. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES**

8.1 The Local Plan is a policy framework document as set out at Article 4 of the Constitution and is required by statute to be adopted by full Council.

8.2 Before the draft Local Plan can be considered for adoption, the process for preparing the Local Plan must be followed as is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations). S.18 of the Regulations sets out the requirements for consultation. There is a requirement to consult with:

- such of the specific consultation bodies as the authority consider may have an interest in the subject of the proposed local plan;
- such of the general consultation bodies as the authority consider appropriate; and
- such residents or other persons carrying on business in the authority's area from which the authority consider it appropriate to invite representations.

8.3 In addition, the Council must comply with any commitments it has made in the adopted statement of community involvement.

8.4 The Council must also publicise its intended timetable for producing the Local Plan. This information is contained in the proposed Local Development Scheme which authorities should publish on their web site and must keep up to date.

## **9. COMMENTS OF OTHER RELEVANT SERVICES**

9.1 None

## **10. APPENDICES**

10.1 Consultative Local Plan and accompanying appendices

10.2 Policies Map – available electronically:  
<http://www.southkesteven.gov.uk/index.aspx?articleid=12393>

10.3 Local Development Scheme

10.4 Infrastructure Delivery Plan

## **11. BACKGROUND PAPERS**