

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM REPORT TO THE CABINET

DECISION

HEADING: Joint Local Plan Strategic Options Consultation Document

DATE: 27 June 2017

SUBMITTED BY: Planning Policy Manager – Helen Beech

PORTFOLIO: Planning and Housing

WARD(S) AFFECTED: All

Purpose of the Report

1. To advise Cabinet on the completion and outcome of the public consultation on the Issues stage of the Joint Local Plan.
2. To provide an update on the plan-making process for Newcastle-under-Lyme and Stoke-on-Trent Joint Local Plan and to seek approval to go out to public consultation on the Strategic options Consultation Document.
3. To seek delegated authority to support the efficient running of the plan-making process.
4. To seek approval for the new timeline for the plan-making process.

Recommendations

1. That Cabinet note the representations set out in the Issues Consultation and Response Document and approve the document for publication.
2. That, subject to any issues arising from the Planning Committee, Cabinet agree to the publication of the Draft Strategic Options Consultation Document and accompanying Sustainability Appraisal Report for public consultation purposes, in line with the methods of consultation set out in the adopted Statement of Community Involvement.
3. That a report be submitted to a subsequent meeting of the Cabinet on the results of the Strategic Options public consultation exercise, as part of the next stage in the Joint Local Plan process – Preferred Options later in 2017.
4. That Cabinet agree to the revised timetable for the production of the Joint Local Plan and that this is published as an update to the Council's Local Development Scheme.
5. That Cabinet delegates to the Executive Director Regeneration and Development, in consultation with the Cabinet Member for Planning and Housing, the following:
 - The authority to finalise the public consultation arrangements and associated documentation for the Strategic Options stage.
 - The authority to respond to any issues and to make decisions which may arise from time to time (including any necessary revisions to the timetable) in order to ensure the satisfactory progress of the plan making process and also to ensure that collaboration with Stoke-on-Trent City Council is maintained

- **throughout the process, including reference to the Joint Advisory Group.**
- **To represent the Borough Council at all Duty to Co-operate meetings and to consider and respond (if necessary) to any matters raised at such meetings.**

Reasons

To provide elected members with relevant information in respect of this matter and to facilitate the successful delivery of the Joint Local Plan

The public consultation on Strategic Options is not a statutory requirement, but in accordance with section 155 of the NPPF 'early and meaningful engagement and collaboration with neighbourhoods, local organisations and business is essential.' The Strategic Options Consultation Document does not set or propose Council policy and so the decision to approve it for consultation purposes falls to the Executive (i.e. the Cabinet).

The Town and Country Planning (Local Planning) (England) Regulations, 2012, and Section 15 of the Planning and Compulsory Purchase Act 2004, as amended, require local authorities to publish and monitor a project timetable or Local Development Scheme, for their development plan documents and supporting documents. It must also take account of provisions of the Localism Act, 2011 relating to town and country planning.

1. BACKGROUND

- 1.1** Cabinet has made previous decisions to develop a Joint Local Plan with Stoke-on-Trent including the adoption of a Joint Statement of Community Involvement and undertaking public consultation on the Issues Consultation Document published as part of the first stage of the local plan-making process, in February/March 2016..
- 1.2** The next stage is to consider a new vision for the plan area and to consider the strategic growth and broad location options, which at this point are essentially framed around housing and employment needs for the area. These are fully outlined in the Strategic Options Consultation Document, full copy available on request or via the supporting documents link.
- 1.3** The Draft Strategic Options Consultation Document is to be considered by Planning Committee on the 22 June 2017. The recommendations of the Planning Committee will be reported to Cabinet via a supplementary report.
- 1.4** Stoke-on-Trent City Council's Cabinet will consider the Issues Paper Consultation Document for consultation purposes on the 27 June 2017. The decision of the City Council Cabinet will be reported verbally.

2. ISSUES

- 2.1** An issues consultation paper was approved in January 2016 and was subject to public consultation in accordance with the Statement of Community Involvement. This resulted in 82 responses generating more than 600 comments. The results of the consultation exercise and the officer response thereto are contained within the Issues Consultation and Response Document, a full copy is available on request or via the supporting documents link. The comments received as a result of the Issues consultation have been examined and a refined list of issues and challenges have been appended to the Strategic Options Consultation Document and the general emerging themes have been taken into account in the preparation of the Strategic Options Consultation Document.

- 2.2** The next stage of the plan making process is firstly to present a new draft vision for the plan area, which is supported by six new draft strategic aims and twenty seven draft objectives. Once these are agreed they will guide the Joint Local Plan's development strategy, but at this stage they act as a framework for considering how the proposed strategic options might help to realise the vision and achieve the individual aims and objectives.
- 2.3** Secondly, using evidence from the Strategic Housing Market Assessment Update, 2017, available from the supporting documents link, and the Employment Land Review, 2015, four growth scenarios (A-D) are proposed. This is done by setting out the number of dwellings and jobs/employment land that would be required over the plan period under each scenario. Various challenges and opportunities are identified to act as a guide on the possible implications of taking forward each scenario.
- 2.4** Critically the Strategic Options Consultation Document identifies an Objectively Assessed Housing Need (OAN) - Growth Scenario C – Supporting Economic Growth. The OAN is important because Planning Practice Guidance says that councils must plan positively to meet their OAN for housing and employment.
- 2.5** The updated analysis presented in this Strategic Housing Market Assessment 2017 indicates that there is an objectively assessed need (OAN) for 1,390 houses per annum or 27,800 dwellings to be met across the Newcastle-under-Lyme and Stoke-on-Trent Housing Market Area for the plan period 2013 to 2033. This is within the range previously concluded in the SHMA 2015 (1,177 – 1,504 dwellings per annum).
- 2.6** The recommended housing OAN allows for anticipated changes in:
- Population (births, deaths, age sex etc.);
 - Household formation (includes a vacancy rate),
 - Housing market trends
 - Labour force
 - Economic Activity/likely job creation;
 - and
 - Migration levels.
- The housing OAN is set out in the Strategic Options Consultation document at 4.2 to 4.5 but for convenience a detailed breakdown of the OAN is attached at Appendix 1.
- 2.7** The equivalent OAN required to ensure we can support economic growth to meet anticipated needs for land of the different business sectors has been separately modelled and this is identified as 199ha per annum. See Employment Growth Scenario C- Meeting our Employment Projections paragraphs 5.14 to 5.17.
- 2.8** Consideration is then given to six potential broad location options which present alternative approaches to how such housing and employment growth could be accommodated across the plan area. The purpose of these broad locations is to explore a range of alternative approaches that could be considered and could potentially be taken forward for further investigation at the next stage of the Joint Local Plan process. Again each option considers the opportunities and challenges of the different approaches.
- 2.9** The proposed strategic aims and objectives and each of the proposed growth and broad location options have been subjected to a sustainability appraisal, which has tested all proposals against a set of economic, environmental and social sustainability objectives. The results of the appraisal are set out in a Sustainability Appraisal Report, which should be subject to consultation, alongside the Strategic Options Consultation Document. A full copy is available on request or via the supporting documents link.

- 2.10** It is worth emphasising that while at this stage of the plan making process there is an indication of potential areas to accommodate growth it is not intended to be site specific – this will follow at the next stage of the plan making process , which is now proposed to include consultation on the preferred growth and site options. Similarly a preferred growth scenario, or broad location is not proposed at this stage. Again this will be the next stage of the plan making process, which is now proposed to be ‘Preferred Options’.
- 2.11** As the plan-making process progresses it is anticipated that more frequent decisions may need to be made. It is therefore proposed that Cabinet delegates certain matters to the Executive Director Regeneration and Development, in consultation with the Cabinet Member for Planning and Housing to enable him to make informed decisions as required by planning legislation and the Planning Inspectorate. These will be in connection with arrangements for formal consultation, the local plan-making process¹ including duty to co-operate meetings with neighbouring authorities and statutory consultation bodies, and at examination stage. It is intended to keep elected members fully informed throughout the process through regular update reports and briefings and Cabinet approval ahead of each stage of the process. In any event, only full council can approve the final draft plan for publication and thereafter submission to the Secretary of State for independent examination.

3. Proposed Joint Local Plan Timetable

- 3.1** The plan-making timetable approved in 2014 has slipped significantly. Your officers are well aware of the importance of preparing the Joint Local Plan in a timely manner. However, the production of a NPPF compliant plan is complicated and not without risks. A balance must continually be struck between satisfactory progress and ensuring that the Plan is supported by a robust evidence base. In this respect your officers have had regard to lessons learned from other councils who have experienced difficulties when short cuts have been made to speed up the plan making process and this has meant that your officers have had to take a more realistic view of timescales between each stage of the plan making process and the amount of evidence required to inform the emerging development strategy. Consequently there have been necessary updates to the evidence base including the Open Space Strategy, SHMA Update and Strategic Housing Land Availability Assessment (SHLAA), which was dependent upon the satisfactory completion of a Viability Toolkit, but the latter was significantly delayed as a result of procurement difficulties. Other evidence documents, such as the Open Space Strategy, which has been used to update the latest Draft SHLAA, are not in the full control of the council’s Planning Policy Team, and the production of these and other ‘sister’ evidence documents have the potential to impact on the programme of the Local Plan.
- 3.2** While the NPPF stresses the need for proportionate evidence the Joint Local Plan evidence base also has to be continually reviewed in the light of frequent changes to national planning policy, as well as, the publication of Government White Papers the most recent of which was the Housing white Paper.
- 3.3** The progress of the Joint Local Plan has also been seriously impeded by difficulties in the recruitment of suitably experienced planning policy officers. This is a national issue and consequently other districts across the County continue to experience similar difficulties. Members will be aware that steps were taken to bolster the Newcastle Planning Policy Team in 2016 following the departure of two team members. As a result three officers have joined the authority in the last six months to support the preparation of the Joint Local Plan and one part time officer is engaged to support the neighbourhood planning process. However, it must be recognised that the work undertaken by the planning policy team is dependent upon

¹ Including revisions to the timetable if required

interdepartmental cooperation and if there are resource issues in other areas this can introduce delay.

3.4 It is worth noting that a colocation arrangement has been put in place, hosted by Stoke-on-Trent City Council, in order to achieve extra efficiency and this is already proving to be beneficial. In addition a Joint Local Plan Coordinator was appointed at the beginning of the year to help manage the Local Plan Programme. This officer is a shared resource with Stoke-on-Trent City Council.

3.5 A revised timetable is proposed for the next stages of the plan making process including preparation of a preferred options document, to be followed by a statutory Draft Plan and submission of a Final Plan for adoption and publication in 2020. The revised timetable is set out at Appendix 2.

4. OPTIONS CONSIDERED

4.1 The first option is to comply with statutory requirements and produce a local plan.

4.2 The alternative option is to not to produce a local plan. This would have potentially serious consequences in that the Council would not be fulfilling its statutory duty and the Department of Communities and Local Government would need to take steps to make sure this requirement was fulfilled. In addition, the local plan process makes sure the Council has the lead role in guiding and supporting the long-term development of the area. It is felt that the adopted Core Spatial Strategy does not reflect the framework to meet future housing and economic needs.

4.3 Both the Strategic Options Consultation and Preferred Option stages are non-statutory, but important in introducing what the Joint Local Plan aims to achieve over its plan period 2013 – 2033. Essentially they represent the ‘front door’ to the Local Plan process and, in accordance with section 155 of the NPPF, help to ensure that ‘early and meaningful engagement and collaboration with neighbourhoods, local organisations and business’ takes place.

5. PROPOSAL

5.1 It is proposed to undertake public consultation on the strategic options for the Joint Local Plan over a four week period from Monday 17th July and for the next stage in the plan-making process to set out the preferred development strategy before a Draft Plan is prepared.

6. REASONS FOR PROPOSAL

6.1 This consultation on the Strategic Options Document forms part of the Regulation 18 process in the preparation of the Joint Local Plan which is a statutory development plan and is being prepared with Stoke-on-Trent City Council. The plan period is 2013 to 2033 and will eventually replace the adopted Joint Core Spatial Strategy 2006 - 2026 (which was adopted 2009). The Council have signed up to an agreed plan making programme which seeks to get a full plan through the examination process and adopted.

6.2 The Joint Local Plan will guide and help to shape the long term policies and plans for the area. The baseline year for all evidence and development targets is from 2013. Therefore officers are already gathering development monitoring information to help inform the production of the Joint Local Plan.

7. OUTCOMES LINKED TO CORPORATE PRIORITIES

- 7Creating a clean, safe and sustainable borough.
- Creating a healthy and active community.
- A borough of opportunity.

8. LEGAL AND STATUTORY IMPLICATIONS

- 8.1** The Local Plan is a statutory requirement and needs to conform with the requirements set out within the Planning and Compulsory Purchase Act, 2004 (“the 2004 Act”) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the 2012 Regulations”).
- 8.2** Once adopted, the Local Plan will replace the adopted Core Spatial Strategy.
- 8.3** The National Planning Policy Framework and the draft National Planning Practice Guidance contain guidance on how to prepare a Local Plan has been taken into account in the preparation of this report together with the legal requirements as set out in 2004 Act and the 2012 Regulations.
- 8.4** Regulation 18 of the 2012 Regulations require the Council as the Local Planning Authority to consult on draft proposals for the local plan and to consider any representations received

9. EQUALITY IMPACT ASSESSMENT

- 9.1** There are no equality or EIA impacts arising as a result of this report. As part of the preparation of the Joint Local Plan and Equality Impact Assessment will be carried out.

10. FINANCIAL AND RESOURCE IMPLICATIONS

- 10.1** The costs of Local Plan preparation are provided for in budget within the Planning Policy Team. Current budget provision is sufficient to cover preparation costs along to be utilised for infrastructure testing (including transport modelling); legal and public examination costs.

11. MAJOR RISKS

- 11.1** These include:

- Failure to provide robust evidence base for the emerging joint Local Plan.
- Failure to meet the timetable for the preparation and adoption of the Joint Local Plan.
- Failure to transparently engage and consult with stakeholders on strategy development.
- Failure to agree with Stoke-on-Trent City Council.

12. SUSTAINABILITY AND CLIMATE CHANGE IMPLICATIONS

- 12.1** Whilst there is no direct impact, the local plan provides the framework to support key initiatives through the sustainability assessment. In particular, open space, green infrastructure; quality environment and air are integral to this framework and overall health and wellbeing.

13. KEY DECISION INFORMATION

13.1 The proposals would impact directly upon all wards of the borough, and is included in the Forward Plan.

14. EARLIER CABINET/COMMITTEE RESOLUTIONS

14.1 Cabinet March 2014
Cabinet January 2016

14. LIST OF APPENDICES

- Appendix 1 – Joint Local Plan OAN explained
- Appendix 2 – Joint Local Plan Timetable

15. BACKGROUND PAPERS / OTHER RELEVANT DOCUMENTS

- Issues Consultation Document and supporting Technical Papers
- Issues Consultation and Responses Document
- Strategic Options Consultation Document
- Strategic Housing Market Assessment, July 2015 and Update June 2017.
- Draft Strategic Housing Land Availability Assessment June 2017
- Joint SHLAA Viability Assessment Toolkit, October 2016
- The Employment Land Review, December 2015
- Joint Local Plan Sustainability Appraisal Scoping Report
- Strategic Options Sustainability Appraisal Report with Non-Technical Summary