

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S
REPORT TO Economy, Environment and Place Scrutiny Committee

05 February 2020

Report Title: Draft Joint Local Plan

Submitted by: Executive Director Commercial Development and Economic Growth

Portfolios: Planning and Regeneration

Ward(s) affected: All wards

Purpose of the Report

To advise on the completion and outcome of the previous formal consultation on the "Preferred Options" stage of the Joint Local Plan.

To provide an update on the plan-making process for the Newcastle-under-Lyme and Stoke-on-Trent Joint Local Plan and to seek support for the Draft Local Plan (Part One – Strategy and Policies) and for the public consultation exercise to be carried out during Spring 2020 in line with the adopted Statement of Community Involvement.

To seek recommendations to Cabinet on the Draft Local Plan Part One Consultation Document. These recommendations will be reported to the Cabinet meeting on 12 February 2020 where a decision will be made whether to approve the document for public consultation.

To confirm that the results of the consultation exercise on the Draft Local Plan Consultation document will be reported back to the Economy, Environment and Place Scrutiny Committee in September 2020.

Recommendations

That the responses to the previous consultation exercise carried out on the Preferred Options Consultation Document be noted (full copy of the Preferred Options Consultation and Responses Document is attached to this pack as background information).

That the presentation of the Draft Local Plan in two parts, Part One for strategic and development management policies to be consulted upon in Spring 2020 and Part Two for proposed site allocations be consulted upon Autumn 2020, be noted.

That support is given for:

1. The Draft Joint Local Plan Part One Strategy and Policies Consultation document (attached as Appendix 1 to this report) to be published for formal public consultation during Spring 2020.
2. That the consultation be carried out in accordance with the Statement of Community Involvement (SCI).
3. That the results of the consultation exercise be reported back to Committee in Summer 2020 to inform the next stage of plan preparation (Part 2 Site Allocations) in partnership with Stoke-on-Trent City Council.

Reasons

The Joint Local Plan helps to guide and shape the long term policies for the area. It is a statutory development plan and will replace the existing adopted Joint Core Spatial Strategy 2006-2026 (which was adopted in 2009). The Joint Local Plan Part One sets out the strategy and policies and Part Two will propose site allocations.

1. **Background**

- 1.1 Consultation on the Draft Joint Local Plan Part One Strategy and Policies Consultation document (Appendix 1) forms part of the legal 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 2037 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.
- 1.2 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. There is in place a strong evidence base and key evidence completed since Preferred Options stage includes the Retail and Leisure Study; Strategic Flood Risk Assessment and Water Cycle Study. Key evidence also needs to be in place at the time of submission and therefore an update to the Strategic Housing Market Assessment and a full review of the supply and demand of employment land across the joint functional economic market area and housing market area are in the process of being commissioned. In addition, both Councils are publishing their Strategic Housing Land Availability Assessments alongside this consultation document. Infrastructure planning and viability will help in determining the best and most sustainable sites which will be subject to Part Two of the Draft Local Plan.

2. **Issues**

- 2.1 The previous stage of the plan preparation was the Preferred Options Consultation which was approved in January 2018, and was subject to formal public consultation in accordance with the Statement of Community Involvement. 824 representations were received as part of the consultation resulting in 5,494 individual points. In addition 7 petitions were received in connection with specific sites. The results of the consultation exercise and the officer response thereto are contained within the Preferred Options Consultation and Responses Document which is available on request or via the additional documents website link.
- 2.2 The general emerging themes have been taken into account and reflected in the Draft Local Plan Consultation document, which is the subject of this report. Additional work is progressing to review all potential site options. Part Two of the Draft Local Plan will propose site allocations.
- 2.3 The timetable has been amended to allow time to respond to changes in the new National Planning Policy Framework and supporting guidance. In particular, the Plan period has been extended from 2033 to 2037 to comply with the requirement that the Plan covers a minimum of 15 years from submission to the Secretary of State. The key implication is that we have to project the needs for homes and employment land to cover this additional period. Accordingly the Draft Local Plan is now presented in two parts, Part One for strategy and policies and Part Two for proposed site allocations (additional sites are currently being considered to address the additional time period).

3. **Proposal**

Proposed Draft Local Plan Part One Consultation document

- 3.1 This is the next stage of the plan making process and expresses the policies required in the Joint Local Plan to meet the needs of Newcastle-under-Lyme and Stoke-on-Trent up until 2037 and in particular to support growth. It also confirms the position regarding retail and leisure including hierarchy of centres and proposals for the amendment of some centre boundaries, all aimed at making our centres more resilient to the major changes in retail and consumer behaviours. The Draft local Plan document proposes policies for the following areas:
 1. Delivering sustainable development and sustainable healthy communities.

2. Economy
3. Housing
4. Transport
5. Centres
6. Design and Heritage
7. Natural and Rural Environment
8. Climate change and environmental resources (including minerals)
9. Infrastructure

4. **Reasons for Proposed Solution**

- 4.1 The Joint Local Plan is a statutory requirement and the formal review process started in 2013. It will provide the framework to guide future development.

5. **Options Considered**

- 5.1 Not to prepare a Joint Local Plan. This option is not feasible as it is a statutory duty to prepare a Local Plan and it is felt that the current core spatial strategy does not reflect the framework to meet future housing and economic needs.

6. **Legal and Statutory Implications**

- 6.1 The Local Plan forms part of the Borough Council's Policy Framework and it must be compiled and adopted in accordance with statutory processes. These include conforming to 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").

- 6.2 Once adopted, the Local Plan will replace the saved policies from the Newcastle-under-Lyme Local Plan 2011 and the adopted Core Spatial Strategy.

- 6.3 The National Planning Policy Framework and the 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.

- 6.4 Regulation 18 of the 2012 Regulations require the Council as the Local Planning Authority to publish and consult on its proposal for the local plan and to consider and representations received.

7. **Equality Impact Assessment**

- 7.1 A joint Equality Impact Assessment has been undertaken and is included as an appendix to this report.

8. **Financial and Resource Implications**

- 8.1 The costs of Local Plan preparation are provided for in current budget provision plus use of reserves. This should be sufficient to cover preparation costs.

- 8.2 The preparation of the plan is being carried out in-house and managed by the Planning Policy Team. There has been, and will continue to be, a requirement to procure additional resources, particularly in terms of producing evidence base documents and providing additional technical and administrative support to the team, this will help with the amount and type of work required and also provides flexibility within the team to reduce staff related risks.

- 8.3 It should be noted that given the scale and nature of the Local Plan, resources and support from other Borough Council departments will continue to be required to ensure compliance with all relevant corporate priorities.

9. **Major Risks**

- 9.1 It is important to consult at an early stage in the preparation of the Joint Local Plan so as to and to ensure evidence is up to date and robust. This will help to ensure that the plan is found sound at public examination.
- 9.2 Without a Joint Local Plan in place the Authorities would not be fulfilling their statutory duty and the Ministry of Housing, 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.
- 9.3 The Joint Local Plan needs to be “positively” prepared and where needs are identified it must demonstrate how these are being met and demonstrate that all reasonable alternatives have been considered.
- 9.4 Elements of the evidence base which inform the strategy are being updated. This does not present an immediate risk. However the timetable for Part Two is dependent on the significance of the outcome of the updated evidence and will also be informed by the responses from Part One consultation, where this has direct implications on Part Two of the Draft Local Plan.

10. **Sustainability and Climate Change Implications**

- 10.1 Sustainability and climate change is at the heart of the plan with specific policies contained therein. The sustainability assessment ensures that all considerations for sustainability and climate change are taken into account.

11. **Key Decision Information**

The Plan affects all the wards of the Borough and approval of the Draft Local Plan for public consultation is a key decision.

12. **Earlier Cabinet/Committee Resolutions**

- 12.1 Each stage of the plan making process has received Cabinet approval.

13. **List of Appendices**

Appendix 1 – Draft Local Plan Consultation Document

https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Planning/Planning_Policy/POJLP/Draft%20Joint%20Local%20Plan%20-%20Part%20One%20Strategy%20and%20Policies%202020%20FINAL.pdf

Appendix 2 – Draft Local Plan Sustainability Assessment

https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Planning/Planning_Policy/POJLP/Joint%20Draft%20Local%20Plan%20Part%20One%20-%20Strategy%20and%20Policies%20Sustainability%20Appraisal.pdf

Appendix 3 – Draft Local Plan Habitat Regulations Assessment

https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Planning/Planning_Policy/POJLP/HRA%20Screening%20Report%20Final.-%20Draft%20Local%20Plan%202020.pdf

Appendix 4 – Draft Local Plan Equality Impact Assessment

https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Planning/Planning_Policy/POJLP/Equality%20Impact%20Assessment%20-%20Joint%20Local%20Plan%20FINAL%202020.pdf

Appendix 5 – Preferred Options Consultation Responses Document

https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Planning/Planning_Policy/POJLP/JLP%20Preferred%20Options%20Consultation%20Responses%202020%20FINAL.pdf

Appendix 6 – Joint Local Plan Revised Timetable

https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Planning/Planning_Policy/POJLP/Joint%20Local%20Plan%20Timetable%20-%20Jan%202020.pdf

14. **Background Papers**

Evidence documents:

Strategic Housing Market Assessment (updated 2017).

Employment Land Review 2015

Retail and Leisure Study 2019

Strategic Flood Risk Assessment 2019

Green Belt Assessment Part 1 2017

Preferred Options Consultation Document 2018

Newcastle-under-Lyme Rural Area Topic Paper Part 1 Hierarchy of Centres 2020