

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
CORPORATE LEADERSHIP TEAM'S
REPORT TO ECONOMY & PLACE SCRUTINY COMMITTEE

20 June 2024

Report Title: Borough Local Plan Update

Submitted by: Interim Chief Executive

Portfolios: Strategic Planning

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
To provide an update on the emerging Borough Local Plan			
<u>Recommendation</u>			
That Committee:			
<ol style="list-style-type: none"> Members note the update on the progress of developing a new Local Plan for the Borough 			
<u>Reasons</u>			
To provide an update on the progress of developing a new Local Plan. To ensure that the process of adopting a Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).			

1. Background

- 1.1 The Local Plan sets the vision and framework for how the borough will grow up to 2040. It sets out targets for the number of jobs and homes to be delivered in the borough and provides a spatial strategy to guide development to the most sustainable locations.
- 1.2 The Economy and Place Scrutiny Committee, at its meeting on the 12 December 2022, requested that a standing item be added to future meeting agendas to provide an update on the current position with regards to the emerging Borough Local Plan.

2. Issues

- 2.1 At a Cabinet meeting held on the 16 January 2024, the next formal steps for the Local Plan were agreed as follows: -
 - Thursday 11 July 2024 – Special meeting of Economy and Place Scrutiny Committee to consider a revised and proposed final draft Local Plan.

- Wednesday 24 July 2024 – Full Council meeting to consider the draft Local Plan including any comments received from the Special Economy and Place Scrutiny Committee on 11 July. Members at the Full Council meeting would be asked to approve the final draft Local Plan (at Regulation 19 stage) and associated documentation for a minimum of six weeks public consultation.

2.2 Subject to approval at Full Council, the final draft Local Plan will be consulted upon over the summer / autumn 2024 before the Plan, its evidence base and responses duly submitted at the Regulation 19 consultation stage are submitted to the Secretary of State for formal examination. The submission of the Plan is anticipated to take place by the end of 2024.

2.3 Consultation on a final draft plan, at the Regulation 19 stage, is a more formal stage. The aim of the consultation stage is to seek views on whether the Plan is legally compliant and meets the ‘test of soundness’ set out in paragraph 35 of the National Planning Policy Framework (NPPF). The tests of soundness are:-

- Is the plan positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Is the plan justified – does it reflect an appropriate spatial strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Is the plan effective – are the proposed plans and policies deliverable over the plan period. Is the plan based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Is the plan consistent with national policy – does it enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant

2.4 Comments at the Regulation 19 stage are sent to the Secretary of State on the submission of the Plan for consideration by an independent Planning Inspector as part of its examination.

2.5 Turning to progress on the Local Plan, officers in some cases supported by consultants are currently working on the following documents which underpin proposed policies and plans: -

- Housing and Economic Needs Assessment
- Infrastructure Delivery Plan
- Habitats Regulations Assessment
- Sustainability Appraisal (incorporating Equality Impact Assessment)
- Strategic Employment Needs Assessment
- Gypsy and Traveller and Travelling Showperson Accommodation Assessment
- Strategic Flood Risk Assessment / Water Cycle Study
- Viability Assessment
- Strategic Transport Assessment

2.6 Alongside the above, officers are drafting a revised version of the Local Plan in readiness for the final draft Local Plan, including preparing strategic and more detailed policies applicable to development types and in respect of specific sites.

2.7 To ensure compliance with the relevant regulations and guidance officers are engaging with adjoining local authorities and statutory consultees under the legal duty to cooperate in plan preparation.

3. **Recommendation**

3.1 That members note the update on the progress of developing a Local Plan.

4. **Reasons**

4.1 To provide an update on the progress of developing a Local Plan. To ensure that the process of adopting a Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

5. **Options Considered**

5.1 The Council has previously expressed its clear intention through the approval of a Local Development Scheme (Local Plan Timetable) and the progress on the Local Plan to date that it intends to put in place a comprehensive set of up-to date planning policies for the Borough.

6. **Legal and Statutory Implications**

6.1 In accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) the Council has a statutory duty to prepare planning policies and maintain an up to-date development plan. Secondary legislation contained in the Town and Country Planning (Local Planning) (England) Regulations 2012 provides additional guidance on the process of Plan making.

7. **Equality Impact Assessment**

7.1 The Local Plan will be supported by an Equality Impact Assessment. This will consider how development proposed and planning policies impact on different groups in the community

8. **Financial and Resource Implications**

8.1 The preparation of the Local Plan is resourced through the Planning Policy budget.

9. **Major Risks & Mitigation**

9.1 Changes in National Policy, Legislation and Guidance - The Levelling-Up and Regeneration Act now has Royal Assent. The Act will have implications for the formulation of future Local Plans. The Government has outlined that Councils have until 30 June 2025 for 'old style' Plans to be submitted for examination (to be adopted by 31 December 2026).

9.2 On the 19 December 2023, the government published a revised National Planning Policy Framework. The implications of changes made through the revised National Planning Policy Framework will be kept under review during the development of the Final Draft Local Plan.

10. UN Sustainable Development Goals (UNSDG)

10.1 As the Local Plan is primarily focused on the use of land, overall levels of growth and the relationship to the environment and infrastructure then several of the UN Sustainable Development Goals will overlap with the aims of the Plan.



11. Key Decision Information

11.1 This report provides an update on the Borough Local Plan. Decision reports associated with the formal consultation and submission of the Local Plan will affect all wards in the Borough.

12. Earlier Cabinet/Committee Resolutions

12.1 Cabinet – 6 June 2023 – Cabinet decision to consult on the First Draft Local Plan - Agenda for Cabinet on Tuesday, 6 June, 2023, 2.00 pm – [Agenda for Cabinet on Tuesday, 6th June, 2023, 2.00 pm – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://newcastle-staffs.gov.uk)

12.2 Cabinet 17 October 2023 - update following consultation on the First Draft Local Plan and consideration of Local Development Scheme - [Agenda for Cabinet on Tuesday, 17th October, 2023, 2.00 pm – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://newcastle-staffs.gov.uk)

12.3 Cabinet 16 January 2024 – consultation report on First Draft Local Plan - [Agenda for Cabinet on Tuesday, 16th January, 2024, 2.00 pm – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://newcastle-staffs.gov.uk)

13. List of Appendices

13.1 N/A

14. **Background Papers**

- 14.1 Local Development Scheme (2023 – 2026) - [Local development scheme – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk)