

At the meeting of the Local Plan Working Group on 9 September 2013, the Working Group resolved for this report to be discussed in the public domain

Forest Heath District Council

(This report is not a key decision. This report has been subject to appropriate notice of publication under the Council's Access to Information Rules)

Report of the Cabinet Member for Planning, Housing and Transport

**LOCAL PLAN
WORKING GROUP**
9 SEPTEMBER 2013

LOP13/012

CORE STRATEGY POLICY CS7 SINGLE ISSUE REVIEW 'SUBMISSION VERSION' (REGULATION 19/20) DRAFT CONSULTATION DOCUMENT

1. Summary and reasons for recommendation(s)

- 1.1 This report presents the Single Issue Review of Core Strategy Policy CS7 'Submission version' draft consultation document for the consideration of Members. The purpose of presenting this draft document to Members at this stage is to encourage debate on its content and to identify any necessary revision(s) to the draft document and prior to the formal period of public consultation scheduled to commence in November.
- 1.2 Following this meeting of the Working Group, Officers will consider any necessary revisions and present a revised version of the document to a future meeting of the Working Group, seeking approval of its content, prior to the formal consultation period itself.

2. Recommendation(s)

- 2.1 **Members to consider and provide comment on the content of the Core Strategy Single Issue Review 'Submission Version' draft consultation document.**

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3. How will the recommendations help us meet our strategic priorities?

3.1 The SIR relates to a number of our strategic priorities including housing, community development, the environment and economic development.

4. Key issues

4.1 As Members will be aware, our adopted Core Strategy, (May 2010), was challenged through the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004. The judgement of the High Court was delivered on 25 March 2011 and found the challenge successful on the first of two claims. The judgement ordered the quashing of certain parts of Core Strategy Policy CS7, with consequential amendments being made to policies CS1 and CS13. Essentially the Court Order removed the spatial distribution of housing numbers and the phasing of its delivery across the District although the overall level of housing remained for the time-being and until the Regional Spatial Strategy, (RSS), was formally revoked in January 2013.

4.2 Officers were required to revisit those parts of the Core Strategy that had been quashed and this process is termed a 'Single Issue Review'. The Council was required to follow all of the relevant legislative processes and procedures, as identified within the Town and Country (Local Planning) (England) Regulations 2012.

4.3 Between 31 July 2012 and 25 September 2012, the first period of consultation took place on the 'Issues and Options', (Regulation 18 stage). This 'issues and options' presented appropriate evidence and sought opinion on what might be an appropriate overall level of housing growth and what might be an appropriate distribution and phasing strategy given the inherent environmental/habitats and physical constraints that exist within the District. The responses received during this period of consultation were subsequently considered by Officers and Members, (LPWG meeting 4 July 2013), and have been used to inform this 'Submission' draft document.

4.4 The 'submission' version is the Council's final draft of the document and it must be the subject of a minimum 6 week period of public consultation prior to submission to the Secretary of State for examination. This consultation stage is intended to test the 'soundness' and legal compliance of the Single Issue Review document.

4.5 Anticipated Timetable for the Single Issue Review (SIR):

Approximate Timetable*	Regulation No.	Stage in Single Issue Review
November 2013	19/20	SIR Proposed Submission Document Consultation.
May 2014	22	Submission of SIR Document to the Secretary of State.
June 2014	24	Examination in Public into 'Soundness' of the SIR Document.
October 2014	25	Inspector's Report into

Approximate Timetable*	Regulation No.	Stage in Single Issue Review
		'soundness' of the SIR anticipated
November 2014	26	Adoption of SIR Document by the Council and incorporation into the Development Plan for the District.

4.6 The overall housing requirement established within the Core Strategy Policy CS7 submission version draft consultation document as presented is considered to be based on a full and objective assessment of local need and as a consequence is considered to be compliant with paragraph 47 of the National Planning Policy Framework, (NPPF). **Members should note the overall housing figure used within the draft Core Strategy Single Issue Review (Submission Version) is being considered at Cabinet on 3 September 2013.** The phasing and distribution strategy is considered to be appropriate and justified given the constraints to growth that exist within the District and the requirement to accord with the provisions of retained Policy CS1, (the Spatial Strategy).

5. Other options considered

5.1 The Single Issue Review 'Issues and Options' considered hypothetical or potential scenarios for establishing our housing requirement and sought opinion on each of these. The document also sought opinion on how the Authority should respond to specific environmental and physical constraints in distributing this housing across the District. This 'submission' draft document establishes an overall housing requirement for the District that is considered to be based on a robust assessment of local needs and as a consequence is NPPF compliant. The distribution strategy is considered to accord with retained Core Strategy Policy CS1.

6. Community impact

6.1 **Crime and disorder impact** *(including Section 17 of the Crime and Disorder Act 1998)*

6.1.1 No direct implications

6.2 **Diversity and equality impact** *(including the findings of the Equality Impact Assessment)*

6.2.1 No direct implications

6.3 **Sustainability impact** *(including completing a Sustainability Impact Assessment)*

6.3.1 The 'Submission' version of the SIR document will be subjected to consultation alongside its requisite Sustainability Appraisal and Habitats Regulation Assessment, (HRA).

6.4 **Other impact** *(any other impacts affecting this report)*

6.4.1 None

7. Consultation *(what consultation has been undertaken, and what were the outcomes?)*

7.1 The preparation of the SIR is an iterative process. A previous round of consultation on the 'Issues and Options' took place between 31 July 2012 and 25 September 2012. The responses received during this period of consultation were subsequently considered by Officers and Members, (LPWG meeting 4 July 2013), and have been used to inform this 'Submission' draft document. The Core Strategy, of which replacement Policy CS7 will form part, was subject to consultation in 2005, 2006, 2008 and 2009. The document was finally adopted in May 2010.

8. Financial and resource implications *(including asset management implications)*

8.1 The SIR document's preparation can be delivered within the planning service budget for 2013/14.

9. Risk/opportunity assessment *(potential hazards or opportunities affecting corporate, service or project objectives)*

9.1 Failure to proceed with the document's preparation through to adoption will leave the Authority with an incomplete Core Strategy, leading to less control over planning matters across the district.

10. Legal and policy implications

10.1 The Planning and Compulsory Purchase Act, (2004), requires Forest Heath DC to prepare and keep an up-to-date Development Plan. An effective Development Plan is essential for the continuation of an effective planning service.

11. Ward(s) affected

11.1 All wards are affected by the provisions of the SIR

12. Background papers

12.1 None

13. Documents attached

13.1 Appendix A: Core Strategy Policy CS7 Single Issue Review 'Submission Version' consultation draft document.