

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**

30 OCTOBER 2013

LOP13/015

SITE ALLOCATIONS LOCAL PLAN DOCUMENT (SALPD) AND SINGLE ISSUE REVIEW LOCAL PLAN DOCUMENT (SIRLPD) – OUTSTANDING MATTERS
(Decisions Plan Reference: NOV13/03 and NOV13/04)

1. Summary and reasons for recommendation(s)

- 1.1 Officers were required to undertake a Single Issue Review, (SIR), of Core Strategy Policy CS7 as a consequence of a successful High Court Challenge to the adopted Core Strategy Local Plan Document.
- 1.2 The Site Allocations Local Plan Document, (SALPD), will allocate sites to meet the district's housing requirement to 2031, (as this emerges via the SIR process), and other requirements, including employment and retail provision, to 2026.
- 1.3 Members previously considered the content of the SIR 'Submission version' draft consultation document at the Local Plan Working Group, (LPWG), of 9th September 2013.
- 1.4 The LPWG meetings of 12 September 2013 and 17 October 2013 considered the available sites, which could potentially meet the district's housing and other land-use requirements, within the Market Towns, Key Service Centres and Primary Villages. This was with a view to their inclusion in a consultation draft 'Further Issues and Options' SALPD.
- 1.5 The purpose of this LPWG is to consider outstanding items arising from the LPWG meetings of 9, 12 September 2013 and 17 October 2013 in order that the content of both the SIRLPD and SALPD can be finalised and presented to Members at the LPWG of 8 November 2013. At the LPWG of 8 November 2013, Officers will seek approval for a period of public consultation on both Local Plan documents to be undertaken simultaneously.

Appendix A of this report contains a Schedule of Outstanding Items from the LPWG meetings to date; Tables showing the preferred and rejected sites by settlement to date including the total capacity of the preferred sites and the previously agreed SIR allocation; and Maps showing sites not previously considered by the LPWG and potential changes to the settlement boundaries of Secondary Villages for Members consideration. Further information relating to the outstanding items for individual sites will be presented at the meeting.

2. Recommendation(s)

2.1 Members consider outstanding items as they relate to the consultation draft Site Allocations Local Plan Document, (SALPD).

2.2 Members consider any resulting consequential changes to the consultation draft Core Strategy Single Issue Review Local Plan document, (SIRLPD).

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

3.1 The SALPD and SIRLPD relate to a number of corporate 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 The overall housing requirement contained within the Core Strategy Policy CS7 'submission' version draft consultation document, (7,000 dwellings in the period 2011-2031), 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). 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).

4.3 The 'submission' version of the **SIRLPD** 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.

- 4.4 The **SALPD** must conform to the policies of the adopted Core Strategy, (as amended), including its Spatial Strategy, (Policy CS1). The SALPD must also identify sites to meet the district's full and objectively assessed housing requirement as this is emerging via the Single Issue Review, (SIR), process.
- 4.5 The availability, suitability and viability of individual housing sites for potential inclusion within the SALPD to address our housing requirement, as it emerges via the SIR process, will be evidenced via the Strategic Housing Land Availability Assessment, (SHLAA). The SALPD will also allocate sites to meet our employment, retail, leisure and other commercial development needs as evidenced and presented within the relevant policies of the Core Strategy, (2010), as amended but it will also take account of more recent studies and evidence bases so that our Local Plan is 'up-to-date and relevant' and consequently NPPF compliant.
- 4.6 Unlike the SIRLPD, this is not the final consultation stage for the SALPD. It is anticipated that the next 'submission' stage consultation on the SALPD will take place in May/June 2014.
- 4.7 Appendix A of this report contains a Schedule of Outstanding Items from the LPWG meetings to date; Tables showing the preferred and rejected sites by settlement to date including the total capacity of the preferred sites and the previously agreed SIR allocation; and Maps showing sites not previously considered by the LPWG and potential changes to the settlement boundaries of Secondary Villages for Members consideration. Further information relating to the outstanding items for individual sites will be presented at the meeting.

5. Other options considered

- 5.1 The SIR '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. The '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.
- 5.2 The forthcoming Site Specific Allocations Further Issues and Options consultation will consider all reasonable alternatives and options for growth within Forest Heath.

6. Community impact

- 6.1 The intention of our Local Plan policy is to deliver a wide choice of high quality homes, to provide a range of job opportunities and to create sustainable, inclusive and mixed communities.

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

- 7.1 The Local Development Framework, (LDF), Site Specific Policies and Allocations 'Issues and Options' consultation held in September 2006.

The Single Issue Review 'Issues and Options' consultation held from 31 July 2012 to 25 September 2012.

The Core Strategy itself, 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 It is considered that the development of the SALPD and SIRLPD through to adoption can be delivered within the planning services budget for 2013/14 and 2014/15.

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

9.1 Failure to proceed with preparation of these Local Plan Documents through to adoption will leave the Authority with an incomplete Local Plan, leading to less control over development across the district.

10. Legal and policy implications

10.1 The Planning and Compulsory Purchase Act, (2004), requires Forest Heath District Council to prepare and keep an up-to-date Local Plan. A Local 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 these Local Plan documents.

12. Background papers

12.1 None.

13. Documents attached

13.1 Appendix A:

- Schedule of Outstanding Items from the LPWG meetings to-date.
- Tables showing the preferred and rejected sites by settlement to date including the total capacity of the preferred sites and the previously agreed SIR allocation.
- Maps showing sites not previously considered by the LPWG and potential changes to the settlement boundaries of Secondary Villages for Members consideration.