

# Local Plan Working Group



Forest Heath  
District Council

<b>Title of Report:</b>	<b>Responses to Consultation and Engagement on the Preferred Option Core Strategy Single Issue Review (SIR), Preferred Options Site Allocations Local Plan (SALP) and Draft Infrastructure Delivery Plan (IDP)</b>	
<b>Report No:</b>	<b>LOP/FH/16/011</b>	
<b>Report to and dates:</b>	<b>Local Plan Working Group</b>	28 November 2016
	<b>Cabinet</b>	13 December 2016
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<b>Purpose of report:</b>	To note representations made on the Preferred Option Core Strategy Single Issue Review (SIR), Preferred Options Site Allocations Local Plan (SALP), and Draft Infrastructure Delivery Plan (IDP) following consultation between April and July 2016 and endorse responses, comments and actions.	
<b>Recommendation:</b>	<p><b>It is <u>RECOMMENDED</u> that the Local Plan Working Group:</b></p> <p>(1) <b>Notes the consultation responses to the Core Strategy Single Issue Review (SIR), the Site Allocations Local Plan (SALP) and the draft Infrastructure Delivery Plan (IDP).</b></p> <p>(2) <b>Endorses the comments and actions noted in Working Papers 1 to 3.</b></p>	

<p><b>Key Decision:</b></p> <p><i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>
<p><i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i></p>	
<p><b>Consultation:</b></p>	<ul style="list-style-type: none"> <li>• In accordance with Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012, the Council's Statement of Community Involvement and Local Development Scheme.</li> </ul>
<p><b>Alternative option(s):</b></p>	<ul style="list-style-type: none"> <li>• Options for progressing the SIR and SSA Local Plan Documents were considered by the Local Plan Working Group on 16 October 2014.</li> <li>• Housing Options Paper was considered and endorsed by the Local Plan Working Group on 22 April 2015.</li> <li>• CS SIR and SSA Local Plan Documents and supporting documents were considered by the Local Plan Working Group on 15 and 18 February 2016 and agreed by Cabinet on 1 March 2016 for consultation.</li> <li>• Working Papers 1, 2, and 3 set out summary representations and responses to the Preferred Option Core Strategy Single Issue Review (SIR), Preferred Options Site Allocations Local Plan (SALP), and Draft Infrastructure Delivery Plan (IDP) held concurrently between April and July 2016.</li> </ul>
<p><b>Implications:</b></p>	
<p><i>Are there any <b>financial</b> implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any <b>staffing</b> implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any <b>ICT</b> implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any <b>legal and/or policy</b> implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>There is a requirement for Local Planning Authorities to produce a Local Plan and Sustainability Appraisal and to undertake consultation during its preparation under the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011 and the</p>

		Town and Country Planning (Local Planning) Regulations 2012.	
<i>Are there any <b>equality</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Risk/opportunity assessment:</b>		The Local Development Scheme includes a risk assessment of issues that could affect the Councils ability to deliver the Local Plan(s) in accordance with the programme. Actions to manage the risks have also been identified. Failure to take into account any representations made at the 2 <sup>nd</sup> Regulation 18 (preferred options) consultation stage may result in an unsound Plan or legal challenge.	
<b>Risk area</b>	<b>Inherent level of risk (before controls)</b>	<b>Controls</b>	<b>Residual risk (after controls)</b>
Significant public opposition	High	Local Plan documents have the potential to be highly contentious. Whilst every effort will be made to build cross-community consensus, there is a high risk of significant public opposition.	Medium
Loss of Staff	Medium	The structure and staffing levels within the Strategic Planning Team will be constantly monitored and reviewed to ensure that the appropriate level of skills and resources are maintained. External consultants will be employed to ensure the Local Plan can be delivered.	Low
Financial shortfall	Medium	The Council has allocated funds through its Financial Services Planning process to allow for the preparation of the Local Plan. Additional and unexpected costs will be monitored which may require a review of the financial allocation.	Low
Changing Political Priorities	Medium	Proposals are discussed with Members of all parties via a variety of means, the Local Plan Working Group etc.). This helps build consensus and reduces the likelihood of wholesale change of direction from local politicians.	Low
Legal Challenge	High	As a measure of last resort anyone may issue a legal challenge within six week of adoption of the Local Plan. Officers will continue to seek to ensure that local plan documents are prepared within the legal framework in order to reduce the risk of successful legal challenge through retaining a planning solicitor and seeking feedback from the Planning Advisory Service through document preparation.	Medium

<b>Ward(s) affected:</b>	All Wards in the District.
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>	<p>Single Issue Review (SIR) of Core Strategy Policy CS7 Preferred Option  <a href="http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/upload/1-Single-Issue-Review-SIR-preferred-options-April-2016.pdf">http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/upload/1-Single-Issue-Review-SIR-preferred-options-April-2016.pdf</a></p> <p>Site Allocations Local Plan Preferred Options April 2016  <a href="http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/upload/SALP-V3-low-res-FINAL-FOR-WEB.pdf">http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/upload/SALP-V3-low-res-FINAL-FOR-WEB.pdf</a></p> <p>Draft Infrastructure Delivery Plan April 2016  <a href="http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/upload/3-draft-Infrastructure-Delivery-Plan-April-2016.pdf">http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/upload/3-draft-Infrastructure-Delivery-Plan-April-2016.pdf</a></p>
<b>Documents attached:</b>	<p>Summaries of responses to the following documents with Officers' comments and actions:</p> <ul style="list-style-type: none"> <li>• <b>Working Paper 1:</b> Forest Heath Core Strategy Policy CS7 Single Issue Review – Preferred Option 2016 [74 pages]</li> <li>• <b>Working Paper 2:</b> Forest Heath Site Allocations Local Plan – Preferred Options 2016 [166 pages]</li> <li>• <b>Working Paper 3:</b> Forest Heath Draft Infrastructure Delivery Plan to 2031 - Consultation draft 2016 [12 pages]</li> </ul> <p><b>(Note:</b>  <b><i>Due to their size, these Working Papers are not attached to this report, but can be viewed electronically, as part of the agenda papers, via the following link:</i></b>  <a href="#">Local Plan Working Group: 28 November 2016</a>  <b>)</b></p>

## **1. Key issues and reasons for recommendation(s)**

### **1.1 Background**

- 1.1.1 The Core Strategy Single Issue Review (CS SIR) revisits the quashed parts of the 2010 Core Strategy as well as reassessing overall housing need/numbers to ensure compliance with the National Planning Policy Framework (NPPF). An 'Issues and Options' (Regulation 18) consultation was completed on the CS SIR in July to September 2012, with a second Issues and Options (regulation 18) consultation taking place between August and October 2015. A preferred option consultation was completed between April and July 2016 (regulation 18).
- 1.1.2 An Issues and Options draft of the Site Allocations Local Plan (SALP) was prepared but did not proceed to consultation in 2013. A Further Issues and Options (Regulation 18) draft was completed, and consultation took place concurrently with the SIR between August and October 2015 and again between April and July 2016 (regulation 18).
- 1.1.3 A second draft of an Infrastructure Development Plan (IDP) was prepared to accompany the preferred option(s) consultation drafts of both the CS SIR, and the SALP. The IDP will be updated and refined as the local plan documents progress through the planning process (to the Submission draft stage). Consultation took place on this second draft of the IDP concurrently with the regulation 18 consultations on the SIR and SALP between April and July 2016.
- 1.1.4 Paragraph 155 of the National Planning Policy Framework (NPPF) advises:

*"Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made."*

The accompanying guidance in the National Planning Practice Guidance (NPPG) notes that "Section 18 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce a Statement of Community Involvement, which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications."

- 1.1.5 The Forest Heath and St Edmundsbury Statement of Community Involvement (SCI) was adopted in February 2014. The SCI contains a statement of intent to engage with our communities – part of a wider commitment made by the councils to create and maintain effective working relationships with all sectors of the community. The document sets out the key stages in preparing a local plan document, and the protocols that all local authorities must follow. The SCI states the councils' intention to go well beyond the minimum requirements for consultation. The 'Issues and Options' stage concludes, "we must take

into account any representations made to us at this 'Issues and Options' stage."

## **1.2 Consultation responses**

- 1.2.1 Responses to all three documents have been received from statutory consultees, such as the Environment Agency, Historic England, Natural England etc., town and parish councils, interest groups, and individual residents and landowners.
- 1.2.2 There were a total of 152 representations (of support, objection, or comments) from 51 respondents to the Core Strategy Single Issue Review preferred option.
- 1.2.3 There were 418 representations on the Site Allocations Local Plan preferred options document from 87 respondents.
- 1.2.4 There were 20 representations on the Draft Infrastructure Delivery Plan from seven respondents.
- 1.2.5 The Working Papers to this report set out summaries of all the responses received to the SIR (Working Paper 1), SALP (Working Paper 2) and IDP (Working Paper 3) documents that were the subject to consultation between April and July 2016, together with Officer responses and comments and/or actions on each.
- 1.2.6 Consultation responses to the Sustainability Appraisal and the Habitats Regulations Assessment will be considered by the Council's Consultants preparing these documents, and will be addressed as part of the next iteration of each of these documents.
- 1.2.7 The methods by which responses are submitted to the Council has changed greatly in recent years. During the last preferred options consultation 79% of all responses were submitted by email, 14% made directly onto the council's online consultation system and just 7% submitted on paper. The increase in electronic submissions has meant savings in Officer time in relation to time spent entering comments onto the consultation system.

## **2. Next Steps**

- 2.1 Following this Local Plan Working Group meeting, the final Submission versions (Regulation 19) CS SIR and SALP documents will be taken for approval for consultation and submission to the Secretary of State, following consultation, to Cabinet on 13 December 2016 and Council on 21 December 2016.
- 2.2 The design and printing of the documents will take a further few weeks from the Council meeting; therefore consultation is planned from the 10 January until 21 February 2017.

- 2.3 Comments received during this final consultation will be submitted directly to the Secretary of State with the Local Plan documents for his/her consideration through a Local Plan Examination. It is anticipated that Submission of the documents for independent examination will take place in early March 2017.
- 2.4 The timetable is subject to a health warning. Factors beyond the Council's control could cause delay such as:
- The introduction of new planning guidance;
  - Major issues raised by consultees at the final consultation stage which require further consideration/modifications to the Local Plan.
- 2.5 Should any of these issues arise, a further meeting of the Local Plan Working Group will be set to outline options for progressing the Single Issue Review and the consequential impact on the Local Plan timetable.