

# Local Plan Working Group



Forest Heath  
District Council

<b>Title of Report:</b>	<b>Core Strategy Single Issue Review (CS SIR) Submission Document (Regulation 19)</b>	
<b>Report No:</b>	<b>LOP/FH/16/012</b>	
<b>Report to and dates:</b>	<b>Local Plan Working Group</b>	28 November 2016
	<b>Cabinet</b>	13 December 2016
	<b>Council</b>	21 December 2016
<b>Portfolio holder:</b>	Lance Stanbury Portfolio Holder for Planning and Growth <b>Tel:</b> 07970 947704 <b>Email:</b> <a href="mailto:lance.stanbury@forest-heath.gov.uk">lance.stanbury@forest-heath.gov.uk</a>	
<b>Lead officer:</b>	Marie Smith Strategic Planning Manager <b>Tel:</b> 01638 719260 <b>Email:</b> <a href="mailto:marie.smith@westsuffolk.gov.uk">marie.smith@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	To endorse the Core Strategy Single Issue Review (CS SIR) Submission draft document (Regulation 19) for public consultation in January 2017.  Member approval for commencing consultation in January 2017 and the submission of the document to the Secretary of State following this final consultation, will be sought from Cabinet on 13 December 2016 and Council on 21 December 2016.	
<b>Recommendation:</b>	<p><b>It is <u>RECOMMENDED</u> that the Local Plan Working Group:</b></p> <p><b>(1) Endorses the Core Strategy Single Issue Review (CS SIR) Submission document (Regulation 19);</b></p> <p><b>(2) Recommends to Cabinet that the Core Strategy Single Issue Review (CS SIR) Submission document and accompanying SEA/SA, together with supporting</b></p>	

	<p><b>documents, be approved for Regulation 19 consultation;</b></p> <p><b>(3) Recommends to Cabinet that the Head of Planning and Growth, in consultation with the Portfolio Holder for Planning and Growth and the Chairman and Vice Chairman of the Local Plan Working Group, be given delegated authority to submit the Core Strategy Submission document, all representations received to it during the final consultation and supporting documents, to the Secretary of State for independent Examination, subject to there being no material issues raised by consultees at the final consultation stage which require further consideration/modifications to the CS SIR; and</b></p> <p><b>(4) The Head of Planning and Growth, in consultation with the Portfolio Holder for Planning and Growth and the Chairman and Vice Chairman of the Local Plan Working Group, be authorised to make any minor typographical, factual, spelling and grammatical changes to the document, provided that it does not materially affect the substance or meaning.</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><b>Consultation:</b></p>	<ul style="list-style-type: none"> <li>• In accordance with Regulation 19 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 Local Plan Document 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 Local Plan Document and the accompanying SEA/SA and supporting documents were considered by the Local Plan Working Group on 30 June 2015 and agreed by Cabinet on 14 July 2015 for consultation.</li> </ul>

	<ul style="list-style-type: none"> <li>• CS SIR Sustainability Appraisal of Housing Distribution options were considered by the Local Plan Working Group on 19 January 2016</li> <li>• CS SIR Preferred Options Local Plan document was considered by the Local Plan Working Group on 15 February 2016 and agreed by Cabinet on 1 March 2016 for consultation.</li> </ul>		
<b>Implications:</b>			
Are there any <b>financial</b> implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>staffing</b> implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>ICT</b> implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>legal and/or policy</b> implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 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 Town and Country Planning (Local Planning) Regulations 2012.	
Are there any <b>equality</b> implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> The document has been screened and there are no implications. The screening document is one of the "supporting evidence" documents referred to in the report and will be made available in line with all other evidence.	
<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 prepare a sustainability appraisal which appraises all reasonable alternatives may result in an unsound Plan or legal challenge.	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Significant public opposition	High	Local Plan documents have the potential to be highly contentious. Whilst every effort will be made to	Medium

		build cross-community consensus, there is a high risk of significant public opposition.	
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 weeks 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>Forest Heath Core Strategy Development Plan Document (May 2010).  <a href="http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/forestheathcorestrategy.cfm">http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/forestheathcorestrategy.cfm</a></p> <p>Forest Heath Core Strategy Policy CS7 Single Issue Review – issues and Options 2012.  <a href="http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/fhcorestrategysingleissueireview.cfm">http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/fhcorestrategysingleissueireview.cfm</a></p> <p>Forest Heath Core Strategy Policy CS7 Single Issue Review – issues and Options 2015  <a href="http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/fh-single-issue-review-sir-of-core-strategy-policy-cs7.cfm">http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/fh-single-issue-review-sir-of-core-strategy-policy-cs7.cfm</a></p> <p>Core Strategy Single Issue Review (CS SIR) – Sustainability Appraisal of housing distribution options  <a href="https://democracy.westsuffolk.gov.uk/ieListDocuments.aspx?CIId=171&amp;MIId=3163">https://democracy.westsuffolk.gov.uk/ieListDocuments.aspx?CIId=171&amp;MIId=3163</a></p>	

	Single Issue Review (CS 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>
<b>Documents attached:</b>	<b>Working Paper 1:</b> Single Issue Review (CS SIR) of Core Strategy Policy CS7 Overall Housing Provision and Distribution – Submission Draft (Regulation 19)

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## **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).
- 1.1.2 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).
- 1.1.3 A final submission consultation (Regulation 19) is scheduled to take place between 10 January and 21 February 2017 and it is the submission draft of the CS SIR which is attached to this report (See Working Paper 1).

#### **Core Strategy Single Issue Review Submission document (Regulation 19)**

- 1.1.4 Since the 2015 issues and options and the 2016 preferred options consultations on the CS SIR, Officers have been preparing the final submission version of the document. This is last stage of consultation prior to the document, together with the supporting information and evidence and representations received, being submitted to the Planning Inspectorate for Examination in Public.
- 1.1.5 The SIR submission draft has been reviewed by the Planning Advisory Service and an external expert planning solicitor who have provided feedback and provides the Council confidence that the documents prepared are robust to minimise risk of a successful challenge. The Council's Communications Team have also read and commented upon documents.
- 1.1.6 Working Paper 1 is the final 'Submission' (Regulation 19) CS SIR consultation document. This statutory Local Plan document confirms the district's overall housing need over the period 2011 – 2031 and how that housing need is distributed among the settlements.
- 1.1.7 Officers will make a presentation to Members on the content of the CS SIR document at the Local Plan Working Group meeting.

#### **Core Strategy Single Issue Review submission consultation (Regulation 19)**

- 1.1.8 The final Regulation 19 consultation on this document will be focused on the whether the CS SIR is a 'legally compliant' and 'sound' document. The consultation will ask the public and stakeholders specific questions required by the Planning Inspectorate and requires that representations consider whether the tests of soundness have been met as set out in the

introduction to the document in Working Paper 1.

## 1.2 **Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA)**

- 1.2.1 A Sustainability Appraisal (SA) is a tool for appraising policies to ensure they reflect sustainable development objectives. Sustainability Appraisals are required for all local development documents. Strategic Environmental Assessment (SEA) is a procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.
- 1.2.2 Consultants have been appointed to undertake the full SA and SEA work in relation to the final submission draft of the CS SIR document. A full report setting out the findings of the SA and SEA will accompany the CS SIR document for consultation in January 2017.
- 1.2.3 A Habitat Regulations Assessment (HRA) form part of a European Directive that requires 'appropriate assessment' of plans and projects that are, either alone or in combination with other plans and projects, likely to have a significant impact on certain designated habitats.
- 1.2.4 Consultants have been appointed to undertake the full HRA work in relation to the final submission draft of the CS SIR document. A full report setting out the findings of the HRA will accompany the CS SIR document for consultation in January 2017.

## 2. **Next Steps**

- 2.1 Following this Local Plan Working Group meeting, the final Submission version (Regulation 19) CS SIR document 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 consultation documents will take a further few weeks from the Council meeting; **therefore, consultation is planned from 10 January until 21 February 2017.**
- 2.3 The change in consultation date for the next consultation (originally due to commence November 2016) has required an update to the Local Development Scheme (timetable for plan preparation). This has been published on the Council's website. This amendment to the timeline does not affect the anticipated adoption of the document in December 2017.
- 2.4 Comments received during this next consultation will be submitted directly to the Secretary of State with the Local Plan documents for his/her consideration through a Local Plan Examination led by an independent Planning Inspector. It is anticipated that the Submission of

the documents for independent examination will take place in early March 2017.

- 2.5 The above 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.
- 2.6 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.