

# Referral from Cabinet: West Suffolk Local Plan Publication (Regulation 19) Consultation and Submission

<b>Report number:</b>	<b>COU/WS/23/021</b>	
<b>Report to and dates:</b>	<b>Cabinet</b>	5 December 2023
	<b>Council</b>	19 December 2023
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**Decisions Plan:** The Cabinet decision made as a result of Cabinet Report CAB/WS/23/056 was published within 48 hours of the decision being taken. The item has been referred to Council for a final decision and was, therefore, not subject to call-in. This item was included on the Decisions Plan.

**Wards impacted:** All wards

**Recommendations: It is recommended that:**

- 1. The West Suffolk Local Plan Proposed Submission (Regulation 19) document (Appendix A to Report number: COU/WS/23/021)**

**together with supporting documents be approved for public consultation and its subsequent submission to the Secretary of State for the purposes of independent examination.**

- 2. Delegated authority be given to the Director (Planning and Growth), in consultation with the Portfolio Holder for Planning to make any presentational improvements or minor non-material consequential changes to the document as necessary prior to the consultation commencing.**
- 3. Delegated authority be given to the Director (Planning and Growth), in consultation with the Portfolio Holder for Planning to agree and consult upon a set of proposed modifications during the examination process.**

## **1. Context to this report**

- 1.1 This report is seeking approval of the Proposed Submission Local Plan and Policies Map, so that the Local Plan can be subject to its final round of consultation (scheduled for 30 January 2024 – 12 March 2024); and seek approval, post consultation, to submit the Local Plan to the Secretary of State for the purpose of independent examination.
- 1.2 The preparation of the new West Suffolk Local Plan has involved two stages of public consultation and continues to make good progress reaching this very important stage – the Regulation 19 Proposed Submission Consultation.
- 1.3 The version of the plan included at Appendix A is the plan that is proposed to be submitted to the Secretary of State for independent examination. Prior to this, the plan must be subject to a public consultation allowing anyone an opportunity to comment on the proposals in the plan. After this consultation all responses received will be sent, alongside the Local Plan and Policies Map and the wider evidence base to the Planning Inspectorate for its examination in public.
- 1.4 Therefore, if Council approves the attached plans, it is stating that it considers the Local Plan to be both final and sound and that, subject to the outcome of the independent examination, it intends to adopt the Local Plan as presented today.
- 1.5 This final Regulation 19 consultation will be focused on the whether it is a 'legally compliant' and 'sound' document. This is a technical consultation which 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.

## **2. Proposals within this report**

- 2.1 The proposed submission Local Plan has been prepared using the existing suite of adopted Local Plans as a starting point. A significant amount of evidence has been developed to ensure that the policies within the plan form a sound basis for managing development and making decisions in West Suffolk.
- 2.2 This process has been underpinned by all member workshops, informal Cabinet meetings and a robust and ongoing Local Plan Working Group of whom provided officers with a clear vision for what the plan needs to achieve for West Suffolk.

- 2.3 The plan is a direct product of this member engagement which has produced a draft local plan which is legally sound, justified and deliverable.
- 2.4 The two main stages of consultation undertaken in 2020 and 2022 have offered the opportunity for the public, the development industry, and other stakeholders to comment on and help shape the local plan, raising a number of key issues and opportunities that needed to be taken into account.
- 2.5 This is also balanced with the evidence base prepared to inform policy preparation and the legal context which the local plan sits within.
- 2.6 The Plan will ultimately replace the existing suite of local plans and includes new policies in order to respond to our community needs.
- 2.7 This Plan is allocating 5,211 homes and 84 ha of employment land.

Key policies include:

**Climate Change:** At the start of the document, having declared an environment and climate change emergency the Council's draft local plan includes policies requiring sustainable construction with a fabric first approach to achieve carbon reduction through energy efficiency and photovoltaic panels on all roofs where practically possible.

**Health and Well Being:** Land Use planning plays an important role in the health and wellbeing of our communities. A new policy linking the design and delivery of homes to health and wellbeing sets out the council's intention to deliver growth for the benefit of people.

**Housing for our communities:** Increasing the current requirement of 30 percent affordable homes to 40 percent affordable housing on greenfield sites to deliver much needed homes for our communities.

**Environment:** The draft Local Plan is protecting and enhancing the built and natural environment through protection and enhancement policies for biodiversity and landscape.

### **3. Alternative options that have been considered**

- 3.1 The alternative option would be to not progress a new local plan or delay preparation and consultation. This would leave the Council at risk of unplanned, speculative development. As the Government requires West Suffolk to have an up-to-date plan in place, to not progress a local plan in a timely manner would be reputationally damaging and lead to Government intervention to produce a local plan for the district council and remove local decision making. See section 5 below.

- 3.2 The Preferred Options Local Plan document itself considered reasonable alternatives and provided reasons why policy and site options that were consulted on in the previous Issues and Options consultation had not been taken forward. The consultation also included a new 'call for sites' which provided alternative options for the Council to consider.
- 3.3 In assembling the proposed submission local plan, 16 West Suffolk Local Plan Working Group meetings were held. The working group reviewed comments received to the previous consultation, national guidance requirements, emerging evidence outcomes and provided a range of thoughts to prepare policy wording and identify sites for allocation and reasons for omission. These meetings were to ensure that the preparation of the councils document was led by councillors across political groups and a much as possible a balance of geographical representation. These meetings fed into the production of the final consultation document (Appendix A).

#### 4. Consultation and engagement undertaken

- 4.1 The Local Plan has been developed with two prior stages of consultation – the Regulation 18 Issues and Options in October 2020 and the Regulation 18 Preferred Options consultation in July 2022. These consultations were held in accordance with the adopted Statement of Community Involvement and have informed the development of the plan.
- 4.2 This consultation is technical consultation with specific set questions focussing on the whether the plan is a 'legally compliant' and 'sound'. 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 and changes required to the document which would enable the document to be sound.
- 4.3 Details of the Regulation 19 consultation include:
- **Branding** - Branding, tone and style will be consistent with that of previous consultations.
  - **Virtual** - Exhibition, with display boards, an information table, video and feedback console
  - **Materials** - Alongside the virtual exhibition. Information will be available in deposit points. This will include posters and business cards to inform residents the ways in which they can respond with a QR code and weblink to virtual exhibition.

- **Targeted consultation pack** – for members and parish councils to enable proper signposting and ensure signposting and clarity.
- **In person drop-in events** – These will be focussed on signposting and advising on how to submit a representation given the stage of plan preparation.
- **Materials** - Posters available in libraries and sports centres and a range of other suitable organisations.
- **Social media and media** – media adverts running weekly. Videos, Images. Pod Casts etc.

## 5. Risks associated with the proposals

- 5.1 Failure to proceed in a timely manner with the preparation of the new Local Plan through to adoption will leave the authority with a dated local plan, leading to less control over development across the district. West Suffolk would be at high risk of speculative, unsuitable, uncontrolled development. Development and infrastructure needs would be determined on a case-by-case basis rather than a strategically planned approach.
- 5.2 The option not to progress a new local plan would also leave the Council open to reputational damage and likely Government intervention to produce a local plan for the district council. The Council may be left with no control local decision making until the Local Plan is completed.
- 5.3 Lastly, failure to progress a West Suffolk Local Plan would be contrary to the consequential orders signed in April 2019 where a clause of the agreement was for the newly formed West Suffolk to prepare and adopt a Local Plan within five years.

## 6. Implications arising from the proposals

### 6.1 Financial

The Local Plan will be progressed to this point in the process using the existing Local Plan budget.

The budget for evidence preparation has been in line with those projected at the start of the Local Plan process.

However, following a review of recent examinations and insight from other local plan examination costs we are increasing our budget for Inspector fees and legal costs for 2024/2025 by £206,000. This is an

estimate at this time with the actual cost of the examination process confirmed when the local plan is adopted.

The Local Plan itself includes policies that will require additional resource to deliver. These relate to ecology and design and further work will be undertaken to determine the scale of resource and will be included in the future budget processes.

## 6.2 **Legal compliance**

The West Suffolk Local Plan is a statutory development plan. Local Plans are prepared under the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012. The Proposed Submission publication is prepared in accordance with Regulation 19.

## 6.3 **Personal data processing**

Planning Policies consultation system is considered to be General Data Protection Regulation (GDPR) compliant.

## 6.4 **Equalities**

An Equalities Impact Assessment has been prepared and the consultation and engagement programme recognise that community engagement with all sectors of society is important if we are to prepare an inclusive and forward-thinking local plan.

## 6.5 **Crime and disorder**

The Suffolk Police Force and the Suffolk Police Architectural Liaison Officer were formally consulted at the Issues and Options and Preferred Options consultation. Following feedback further engagement was undertaken and policy wording has been amended as a result.

## 6.6 **Environment or sustainability**

The Local Plan plays a central role in terms of supporting the West Suffolk Climate and Environment Emergency themes of creating energy efficient new buildings and protecting and enhancing the natural environment. The Local Plan includes such policies with supporting evidence.

A Sustainability Appraisal has been prepared at each stage of the Local Plan process which has informed the preparation of the Proposed Submission Local Plan.

## 6.7 **HR or staffing**

It is a Planning Inspectorate requirement for the applicable planning authority to appoint a 'Programme Officer' to assist the examination process, and such an officer must be independent of the team of officers responsible for preparing the Plan.

The appointed Programme Officer will commence work before the plan is submitted, and costs will be met from the existing Local Plan budget.

## 6.8 **Changes to existing policies**

This is the final consultation in preparing a new local plan for West Suffolk. Once adopted the new plan and its policies will replace those in the existing development plan for West Suffolk.

The newly adopted local plan will form the West Suffolk Council development plan alongside any made neighbourhood plans.

## 6.9 **External organisations (such as businesses, community groups)**

Views and comments were submitted at both the two previous stages of the plan's preparation.

All responses to the preferred options consultation can be viewed on the planning policy online consultation portal. These helped inform the preparation of this submission draft of the plan.

## 7. **Appendices referenced in this report**

- 7.1 Appendix A - West Suffolk Local Plan Proposed Submission (Regulation 19) document. Due to the length of this document is not attached in printed form and is available to view on the Council's website at: [Agenda for Council on Tuesday 19 December 2023, 7.00 pm \(westsuffolk.gov.uk\)](#)  
Paper copies are available for members upon request.

## 8. **Background documents associated with this report**

- 8.1 Report number: [CAB/WS/20/057](#) West Suffolk Local Plan Draft Issues and Options documents – approval for public consultation
- 8.2 Report number: [COU/WS/22/010](#) West Suffolk Local Plan: Preferred Options consultation