

## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

### LOCAL PLAN ADVISORY COMMITTEE – 3 JUNE 2014

Title of report	<b>LOCAL PLAN TIMETABLE</b>
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Purpose of report	To advise members of the proposed timetable for producing the new Local Plan
Council Priorities	Value for Money Business and Jobs Homes and Communities Green Footprints Challenge
Implications:	
Financial/Staff	Budget provision has been made for 2014/15. Future costs will be assessed and the Council makes budget provision each year in anticipation of these costs.
Link to relevant CAT	None
Risk Management	Having an agreed timetable will ensure that the new Local Plan is in place as soon as possible and so minimise the risk to the Council from proposed developments which the Council would wish to resist.
Equalities Impact Assessment	None
Human Rights	None

Transformational Government	Not applicable.
Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	On the advice of external solicitors, the report is satisfactory.
Consultees	None
Background papers	<p>The Town and Country Planning (Local Planning)(England) Regulations 2012 which can found at <a href="http://www.legislation.gov.uk/ukxi/2012/767/pdfs/ukxi_20120767_en.pdf">http://www.legislation.gov.uk/ukxi/2012/767/pdfs/ukxi_20120767_en.pdf</a></p> <p>The Planning and Compulsory Purchase Act 2004 which can be found at <a href="http://www.legislation.gov.uk/ukpga/2004/5/contents">http://www.legislation.gov.uk/ukpga/2004/5/contents</a></p>
Recommendations	<p><b>THAT THE ADVISORY COMMITTEE NOTES</b></p> <p><b>(I) THE SUGGESTED TIMETABLE FOR PRODUCING THE LOCAL PLAN AND</b></p> <p><b>(II) THE DATES FOR FUTURE MEETINGS OF THE LOCAL PLAN ADVISORY COMMITTEE</b></p>

## 1.0 BACKGROUND

- 1.1 A report to the 1 July 2014 Council meeting will report on the outcome of the two meetings of the Local Plan Advisory Committee (LPAC) that have been held so far, including the recommendation of the 18 March 2014 meeting that a new Local Plan be prepared .
- 1.2 On the assumption that Council agree to this recommendation it will be essential that a timetable for the production of the new Local Plan is established. This report outlines the suggested timetable.

## 2.0 FACTORS INFLUENCING A TIMETABLE

- 2.1 It is important that the Council gets a new local plan in place as early as possible in order to provide an up-to-date framework for making planning decisions. However, speed of production needs to be balanced against other considerations, in particular the need to ensure that both the process and the final document are robust so as to minimise the risk that the local plan is found unsound.

- 2.2 There are a number of factors which need to be taken in to account in determining the timetable. Some of these factors are within the control of the Council, but others are not. The key factors to be considered are:
- Legal requirements including the Duty To Cooperate;
  - Evidence base and
  - Staff and financial resources.

#### Legal requirements

- 2.3 In terms of the overall process this is governed by legislation and regulations. Members will be aware that it is necessary for a local plan to be submitted to the Secretary of State for independent examination (Section 20 of the Planning and Compulsory Purchase Act 2004). Before submission the Town and Country Planning (Local Planning) (England) Regulations 2012 requires a local planning authority to:
- invite “*representations ... about what a local plan ... ought to contain*” and to take any representations in to account (Regulation18);
  - make the plan available for inspection and that representations be invited; (Regulation19)
- 2.4 There is also a need to undertake a Strategic Environmental Assessment/ Sustainability Appraisal (SEA/SA) of the local plan and to produce a report of the findings of such an appraisal. In effect, this appraisal report sets out the environmental, social and economic implications of the plan and its policies and how any adverse impacts will be managed. The first stage in the production of this is the preparation of a Scoping Report. The Scoping Report used to inform the SEA/SA of the Core Strategy dates from 2005 and can now be considered out of date. Therefore, a new Scoping Report has been commissioned. The Scoping Report will, once completed, be required to be subject to consultation.
- 2.5 It will also be necessary to demonstrate that the Council has complied with the Duty to Cooperate on matters of strategic significance. A key issue in respect of this will be in relation to the amount and distribution of housing across the Housing Market Area. This matter is considered in more detail in item 5 of this agenda.

#### Evidence base

- 2.6 Members will be aware that a local plan needs to be supported by an appropriate evidence base. The evidence base will be wide ranging and some evidence will need to be in place before other evidence can be gathered.
- 2.7 A key piece of evidence will be in relation to housing requirements. Item 5 of this agenda details progress to date on the Strategic Housing Market Assessment (SHMA). It is only when this has been finalised that it will be possible to be absolutely clear about the districts housing requirements and hence how much land needs to be allocated for development.
- 2.8 Other parts of the evidence base will not be able to be put in to place until later on in the process. For example, there will be a requirement to undertake a viability assessment of the policies and proposals contained in the local plan. However, this cannot be done until quite late on in the process when policies and proposals have been drafted. These in turn will be dependent upon evidence to justify them.

### Staff and financial resources

- 2.9 There will be a need to ensure that sufficient resources are available to produce the local plan as speedily as possible. Resources are not finite and so resource availability needs to be taken in to account in determining the timetable for production of the local plan.

### **3.0 THE TIMETABLE**

- 3.1 Having regard to all of the above factors a timetable has been prepared as set out at Appendix A to this report. As noted in Item 5, the meeting of MAG on 26 June 2014 will determine the timetable and process for reaching agreement across the HMA on the distribution of housing. The timetable set out at Appendix A may; therefore, need to be reviewed in the light of the outcome of these discussions.
- 3.2 In terms of the timetable it will be noted that it is planned to commence engagement on both the new Statement of Community Involvement (SCI) and an initial consultation on the Local Plan shortly. In respect of the latter, this will address the requirement, as noted in paragraph 2.3 above, to invite representations on what the local plan ought to contain.
- 3.3 The Council is required to set out its timetable for preparing a local plan in a Local Development Scheme (LDS). A new LDS will be prepared and made available as soon as practicable based on this timetable. Under the Council's constitution this is a matter delegated to the Portfolio Holder for Regeneration and Planning.
- 3.4 Moving forward it is anticipated that a number of special Member's Planning Forums will be arranged to provide a forum for members and officers to consider issues such as limits to development and the future development strategy.

### **4.0 FUTURE MEETINGS OF THIS ADVISORY COMMITTEE**

- 4.1 Having established a timetable for the production of the local plan it is considered that it would also be appropriate to agree dates for future meetings of the Advisory Committee. Having regard to the Terms of Reference which require a meeting every two months the following dates are suggested:
- Tuesday 9 September 2014
  - Wednesday 12 November 2014
  - Tuesday 20 January 2015
  - Wednesday 4 March 2015
- 4.2 At this time it is not possible to say what matters will be considered at each meeting, but it is intended that there will be regular progress updates. In addition, it is envisaged that as options for possible policies are developed these will be brought to meetings to obtain the views of the Advisory Committee in order that these can be fed in to the decisions of Council, initially on a draft plan (June 2015) and on the Council's preferred plan (December 2015).