

<b>Subject:</b>	Local Plan-update	<b>Status:</b>	For Publication
<b>Report to:</b>	Council	<b>Date:</b>	14 <sup>th</sup> December 2016
<b>Report of:</b>	Planning Manager	<b>Portfolio Holder:</b>	Operations and Development Control
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required:	Yes/No	Attached: Yes/No
<b>Biodiversity Impact Assessment</b>	Required:	Yes/No	Attached: Yes/No
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1.	<b>RECOMMENDATION(S)</b>
1.1	That Council support the publication of the draft Local Plan in mid-2017 for public consultation purposes
1.2	All future minor amendments to the Plan to be delegated to the Planning Manager in consultation with the Portfolio Holder.

## 2. PURPOSE OF REPORT

2.1 To inform Council of the next stages of the preparation of the Local Plan

## 3. CORPORATE PRIORITIES

3.1 The matters discussed in this report impact directly on the following corporate priorities:

- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.
- **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.
- **Clean Green Rossendale:** This priority focuses on clean streets and town centres and well managed open spaces, whilst recognising that the Council has to work with communities and as a partner to deliver this ambition.

## 4. RISK ASSESSMENT IMPLICATIONS

4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- Alterations to the current Local Development Scheme will have an impact on the overall timetable delaying adoption until 2020
- There is a small risk of Government intervention in plan preparation at the Council's expense
- Public concern about ongoing delays
- Potential extra costs if evidence base becomes out of date

## 5. BACKGROUND AND OPTIONS

5.1 Council authorised formal abandonment of the Site Allocations and Development Management DPD and the production of a new Local Plan at their 24<sup>th</sup> February 2016 meeting. A Local Development Scheme setting out the new timetable was also approved at the same time.

5.2 Considerable progress has been made in developing an evidence base for the Plan. Progress on the commissioned Studies is listed below. There have been delays on some studies due to circumstances beyond the Council's control, such as not receiving flooding models from the Environment Agency.

- *Strategic Housing Market Area Assessment (SHMAA)*. This identifies the Full Objectively Assessed Need (FOAN) for Rossendale taking into account all the latest population and employment forecasts. The FOAN effectively sets out how many new houses need to be provided each year. A number of different scenarios have been modelled.

The Study identifies that Rossendale does not have a self-contained Housing Market Area and recommends that the HMA is defined as the Rossendale Borough boundary for practical purposes.

- *Employment Land Study*. This piece of work has been assessing the Employment land needs for the Borough up until 2034. This has been looking at both quantitative need and where good quality sites might be provided. This applies to land identified as B1, B2 and B8 (offices, research & development, light / general industrial and storage or distribution. An assessment will be included of all the main existing employment sites in the Borough, reviewing them for their market attractiveness, and a number of potential new sites suitable for employment uses will be suggested.
- *Strategic Housing Land Area Assessment (SHLAA) Critical Friend Review*. The SHLAA assesses individual sites that have been put forward for housing for their achievability, availability and suitability. This piece of work is being prepared internally with over 300 pieces of land being looked at. Independent consultants were employed to assess the methodology used and reviewed a sample of the site appraisals to ensure the approach taken is robust.
- *Green Belt Study*. The Green Belt Study split the Green Belt in the Borough (around Rising Bridge; between Haslingden and Rawtenstall; south of Helmshore and around Edenfield; between Waterfoot and Stacksteads; between Britannia and Shawforth and around Whitworth) into over 80 separate parcels. The role they play in meeting national Green Belt policy has then been assessed using a consistent methodology.
- *Strategic Flood Risk Assessment (SFRA)*. This updates previous work undertaken in 2014/15 taking into account the implications of last December's Floods and the latest climate change allowances published by the Environment Agency. The Study ranks sites into categories varying from those that have no flooding issues to a small number of locations where development should not go ahead.
- *Gypsy and Traveller Study (GTAA)*. The GTAA updates previous work undertaken in 2009 and included a number of interviews with Gypsy and Traveller families. It will identify the number of pitches that would need to be made available on permanent and transit sites.
- *Environmental Corridors Study*. This work looks particularly at the role of the "Greenlands" areas identified in the 1995 Plan as well as taking a strategic view of environmental corridors, their functions and wider role. 24 Greenland sites have been assessed in detail and different functions of environmental corridors have been

assessed.

- *Sustainability Appraisal*. Preparation of a Sustainability Appraisal and Habitats Regulation Assessment is required by law as part of the preparation of the Plan. The SA assesses sites against a set of 13 social, environmental and economic criteria to assess how they perform. Preparation of the SA is iterative in nature and should be considered in selecting which sites should be progressed and if any mitigation is necessary. It will need to be repeated at the next stage of plan preparation
- *Retail Leisure, Town Centre and Tourism Study*. This has now been commissioned with initial work looking at retail capacity. A representative telephone household survey will be undertaken to ensure that there is an up to date understanding of shopping and leisure patterns in the Borough. The Study will also examine appropriate town centre boundaries, leisure trends and provide advice on policy development.

The Playing Pitch Strategy was published earlier this year. An additional piece of work is also being undertaken on Affordable Housing Viability to identify the extent to which new market housing will be able to contribute to affordable housing provision. An Infrastructure Delivery Plan is being prepared internally.

- 5.3 In order to maximise understanding and engagement in the Local Plan process the different evidence base studies will be published for information purposes. A public “drop-in” session will be held in the Council Chamber in May to allow interested parties to look at documents of their choice and ask questions as appropriate.
- 5.4 In parallel with the development of the evidence base work has been continuing on reviewing and updating the existing Core Strategy policies including those that were consulted on as part of the Site Allocations and Development Management DPD consultation last year. This work is being undertaken internally but will be informed by the evidence base work.
- 5.5 A consultation version of the Local Plan will be prepared combining the policy work and individual site allocations. This will be a challenging exercise. The nature of the decisions that need to be made on where to locate development means it is inevitable that certain elements of the Plan will not be universally popular. Following consideration by senior officers it is intended that a Member Briefing will be undertaken on the document. It was originally intended to go out for consultation starting in January but due to delays with the evidence base it was programmed to commence the six week consultation at the /start of March. It was however recognised that this would take the consultation into the “purdah” period prior to the County Council elections. It has therefore been decided to publish the complete set of Evidence Base documents immediately after the Elections rather than make them available piecemeal and then go out to consultation on the draft Plan in June.
- 5.6 The document that is currently being prepared is a draft Plan. The comments received on this will be used to inform preparation of a final Publication version of the Plan which will form the Council’s preferred document. A date of early summer2018 is considered to be realistic for this consultation as the amount of time required to process the comments received and get member feedback on this document means that it is important to ensure sufficient time is provided prior to publication.. This stage of consultation can only address legal and “soundness” issues prior to all the documentation being submitted to the Planning Inspectorate for an “Examination in Public” to be held in early 2019.
- 5.7 A new Local Development Scheme (LDS) setting out the Plan timetable has been produced.

The main feature of this is that in order to avoid purdah over the next two years a delay in the timetable for adoption of one year is anticipated and considered realistic. It will also allow the Council to take into account any policy changes put forward by the Government in the forthcoming Housing and Planning White Paper.

There is a small risk of Government intervention at the Council's expense because of the delay in Plan preparation. However this is considered to be relatively low as other authorities are less advanced in Plan preparation.

- 5.8 A decision has not yet been reached on whether to pursue the Community Infrastructure Levy (CIL) in Rossendale as opposed to relying solely on Section 106 agreements. There are benefits and challenges to both approaches. Further Government advice on the application of CIL is also awaited.

**COMMENTS FROM STATUTORY OFFICERS:**

**6. SECTION 151 OFFICER**

- 6.1 Members should be aware that the forecast costs for the completion of the Local Plan are estimated to be c.£300k. The Council has identified additional resources from reserves to ensure that Local Plan costs can be met.

**7. MONITORING OFFICER**

- 7.1 It is important to ensure that all timescales are adhered to in terms of legislative requirements.

**8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

- 8.1 Extensive external consultation has been undertaken as part of the preparation of a number of the Studies. The use of questionnaires has informed both the SHMA and the Employment Studies while a number of interviews have informed the Gypsy Study. Key statutory bodies such as Environment Agency have inputted into the other studies, and adjoining authorities have also been contacted.
- 8.2 Internal officer consultation will be important prior to the Plan going out to consultation. At member level, the cross-party Local Plan Steering Group has already had an important role in helping to guide the process and will continue to help shape the document. Other internal consultation will be as extensive as possible:
- 8.3 Public consultation on the draft Plan will be extensive. There are over 2500 contacts on our database plus a number of public consultation events will be held and the use of social media maximised. Council's input into methods and/or locations for consultation events would be welcomed.
- 8.4 It is recommended that an Equalities Impact Assessment needs to be completed throughout the development of the plan.

**9. CONCLUSION**

- 9.1 The Local Plan is a key policy document for the Borough. It is important that it is evidence based to support the choices that will need to be made. Member support will also be essential to ensuring that the Plan reflects the Council's priorities. The Plan timetable is being delayed overall by a year.

Background Papers	
Document	Place of Inspection
Revised Local Development Scheme	

**Local Development Scheme and Proposals Map Timetable (September 2016)**

Local Plan

Draft Plan	Publication	Submission to Planning Inspectorate	Examination in Public	Inspector's Report	Adoption by Council
July 2017	July 2018	Jan 2019	June 2019	Nov 2019	March 2020

CIL\*

Consultation on Preliminary Draft Charging Schedule & other documentation	Consultation on draft Charging Schedule & other documentation	Submission to Planning Inspectorate	Examination in Public	Inspector's Report	Adoption by Council
July 2017*	July 2018*	Jan 2019*	June 2019*	Nov 2019*	March 2020*

DPD Preparation Stages and alignment with Town and Country Planning (Local Planning) (England) Regulations 2012			
Public Participation (Regulation 18)		Examination in Public (Regulations 23 & 24)	
Publication of the DPD and Representations (Regulations 19 & 20)		Inspectors Report (Regulation 25)	
Submission of the DPD (Regulation 22)		Adoption (Regulation 26)	

The table above shows the timetable for the preparation of the Local Plan and the Proposals Map, through to adoption in 2020.

\* A decision has not yet been taken by the Council in respect to the Community Infrastructure Levy. If it is decided to proceed, documentation will include information on Infrastructure requirements, viability and other funding sources for infrastructure as well as the Charging Schedule. It is intended, where possible, to align the consultation with that of the Local Plan in order to enable both documents to be examined as part of one large inquiry but this is dependent .

<b>CIL Preparation Stages and alignment with the Community Infrastructure Regulations 2010</b>			
Preliminary Draft Charging Schedule consultation (Regulation 15)		Examination in Public (Regulation 20)	
Draft Charging Schedule Consultation (Regulations 16)		Inspectors Report Publication (Regulation 23)	
Submission of the Charging Schedule (Regulation 19)		Adoption (Regulation 25)	