

Local Plan update

Report of the Cabinet Member for Economic Growth, Environment & Development Services:
Councillor I. Pritchard



Date: 23rd January 2018
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Key Decision? YES
Local Ward ALL
Members

**Economic Growth,
Environment and
Development (Overview
and Scrutiny)
Committee**

1. Executive Summary

- 1.1 Consultation on the Draft Local Plan Allocations document (Regulation 19 Consultation, **APPENDIX A** <https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/EconomicGrowthEnvironmentDevelopmentOverviewScrutinyCommittee/2018/01/23/Reports/Item-5-App-A.pdf>) is underway and will close on the 19th February 2018. Following this officers will consider all responses received and prepare a report to Cabinet. The intention is to submit the Plan for Independent Examination following the consultation process.
- 1.2 The Local Plan Strategy adopted in 2015 commits the Authority to preparing a Local Plan Review. To inform the Review a Strategic Environmental Assessment Scoping Report has been prepared (**APPENDIX B** <https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/EconomicGrowthEnvironmentDevelopmentOverviewScrutinyCommittee/2018/01/23/Reports/Item-5-App-B.pdf>). This Scoping Report, along with evidence base, internal officer and Member feedback will help shape a consultation on the Local Plan Review. Consultation on the Local Plan Review is scheduled for April 2018.
- 1.3 Implementation of the CIL (Community Infrastructure Levy) Governance Structure and Administration arrangements has commenced. The work programme for 2018 will focus on improving communication with Parishes and seeking approval for the detail surrounding the allocation of CIL income.
- 1.4 Neighbourhood Plan progress is positive with Lichfield City and Whittington & Fisherwick proceeding to Examination.

2. Recommendations

- 2.1 That the Committee notes the progress associated with the Local Plan Allocations (**APPENDIX A**).
- 2.2 That the Committee notes the Strategic Environmental Assessment Scoping Report (**APPENDIX B**).
- 2.3 That the Committee notes the timetable proposed for initial consultation on the Local Plan Review.
- 2.4 That the Committee recommends that Cabinet approves the Local Plan Review Scoping document in line with the identified scope at paragraph 3.7 of this report.
- 2.5 The Committee notes the recent progress in relation to neighbourhood plans within Lichfield District.

3. Background

Local Plan Allocations

- 3.1 Consultation on the Draft Local Plan Allocations document (Regulation 19 Consultation) took place between 20th March 2017 and 12th of May 2017. Approximately 5,000 representations were received in response to the consultation. These representations have been analysed and addressed in the revised consultation document (**APPENDIX A**).
- 3.2 The document together with the ‘Policies Map’ attached at **APPENDIX A** and **APPENDIX C** <https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/EconomicGrowthEnvironmentDevelopmentOverviewScrutinyCommittee/2018/01/23/Reports/Item-5-App-C.pdf> respectively represents the Publication version of the Plan which needs to be subject to a minimum of six weeks consultation prior to submission to the Secretary of State for Communities and Local Government. Consultation is currently underway on the aforementioned document (8th January – 19th February 2018).
- 3.3 Subject to successful adoption of the Plan the Local Plan Allocations (**APPENDIX A**) would result in the deletion of the 1998 approved Lichfield District Local Plan and form part 2 of the adopted Local Plan Strategy (2015), although Policies Lichfield 3 and Burntwood 3 of the Strategy would be superseded by the revised policies in the Local Plan Allocations. Likewise, subject to successful adoption, the proposed Policies Map (**APPENDIX C**) would supersede the existing ‘Policies Map’ (**APPENDIX D** <https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/EconomicGrowthEnvironmentDevelopmentOverviewScrutinyCommittee/2018/01/23/Reports/Item-5-App-D.pdf>).
- 3.4 The timetable for progressing with the Local Plan Allocations is identified at Table 1.

Table 1: Local Plan Allocations timetable

Stage	Date
Focused changes consultation	January – February 2018
Submission to the Secretary of State	May 2018
Examination in Public	July 2018
Adoption	December 2018

Local Plan Review

- 3.5 The Local Plan Review presents an opportunity for the Council to consider and comprehensively review its Local Plan in full. This is not to imply that there are current deficiencies associated with the current Local Plan or the emerging Land Allocations document, and the commencement of a Review is without prejudice. The Local Plan Review is required to ensure that policies are relevant and up to date given national guidance and the time that will have elapsed since the Plan was originally formulated. It should in any event be noted that the Government is proposing Local Planning Authorities undertake a review of Plans every five years (as identified in the Chief Planner’s letter **APPENDIX E (attached)**). Upon adoption of the Local Plan Review Lichfield District Council would meet this five year timescale.
- 3.6 On the 5th December 2017 Cabinet considered a timetable for the Plan Review, and this was ratified by Full Council on the 19th December 2017. The agreed timetable is identified in Table 2 below.

Table 2: Local Plan Review timetable

Stage	Date
Local Plan Review Scoping consultation	April 2018
Preferred Options	January 2019
Publication	September 2019
Submission to Secretary of State	January 2020
Examination in Public	March 2020
Adoption	December 2020

- 3.7 Notwithstanding paragraph 3.5 of this report the scope of the Local Plan Review will be as follows;
- Review vision and objectives;
 - Review policies contained within adopted Local Plan Strategy;
 - Meet requirements of National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) inclusive of any legislative update;
 - Identify options to assist with delivery of economic growth, inclusive of housing development;
 - Deal with any gaps in the Local Plan framework;
 - Review of supporting documents such as the Infrastructure Delivery Plan.
- 3.8 This scope has been informed predominantly by the Strategic Environmental Assessment Scoping Report (**APPENDIX B**). In addition officers have a good working knowledge of the aspects of the Plan that require review which has shaped the list identified in the preceding paragraph.
- 3.9 The initial consultation on the Local Plan will be referred to as the Local Plan Review Scoping consultation. This should not be confused with the Strategic Environmental Assessment Scoping Report (**APPENDIX B**). The initial consultation will be high level and will set out the scope of the Plan Review. It will not identify revised policies, nor will it allocate land. This more advanced progression of the Plan is scheduled for the Preferred Options stage (January 2019). The length of time between the two rounds of consultation is reflective of the need to consider responses received along with the extensive evidence base that will need to be undertaken as part of informing the Preferred Options stage.
- 3.10 It is anticipated that a number of policies adopted in the emerging Local Plan Allocations will be maintained.
- 3.11 In relation to the Plan Review there is still a significant level of uncertainty associated with the quantum of growth the District will be dealing with. This requires clarification in order to effectively progress with a Plan Review. Therefore the timetable (Table 2) may need amending were there any delays associated with clarification over these levels.

Community Infrastructure Levy (CIL)

- 3.12 CIL income to support infrastructure requirements across the District has been accrued following commencement of charging in June 2016. Cabinet approval for the CIL Governance Structure and Administrative Arrangements which focus on allocation of such funds was secured in July 2016. Implementation of the arrangements commenced in late 2017 with membership and Terms of Reference for each identified group gaining approval.
- 3.13 Focus will now move to the development of the funding allocations process and also the development of procedures to ensure Parishes are fully informed in regard to the transfer of “Meaningful Proportions” (the amounts of CIL receipts distributed to Parishes under the regulations).

3.14 Further, it should be noted that approval to align the adopted CIL arrangements and those associated with secured and future Section 106 monies was approved at Cabinet on the 5th December 2017, ensuring a coordinated approach to infrastructure delivery for the District.

Neighbourhood Plans

3.15 There is continued progress with a number of neighbourhood plans within the District. Both the Lichfield City and Whittington & Fisherwick neighbourhood plans have successfully proceeded through independent examination where it was recommended that both plans, subject to modifications, proceed to a referendum within their respective neighbourhood areas. The referendums for each plan is scheduled to take place on 22 February 2018. Should there be a successful vote at the referendum Lichfield District Council will then bring the neighbourhood plans into force as part of the development plan for the District.

3.16 In addition to the above plans which have now reached an advanced stage there has been further progress on a number of neighbourhood plans which can be summarised as follows:

- Alrewas neighbourhood plan – Alrewas Parish Council have submitted the draft neighbourhood plan to the District Council. The plan is currently being consulted upon prior to being submitted to an independent examiner for examination. The consultation will close on 16 February 2018.
- Elford neighbourhood plan – Elford Parish Council recently undertook formal consultation on their draft neighbourhood plan. Lichfield District Council provided a number of comments on the draft plan and continues to work with the Parish Council as they progress their neighbourhood plan.
- Fradley neighbourhood plan – Fradley & Streethay Parish Council recently consulted upon their draft neighbourhood plan. As with the Elford neighbourhood plan the District Council has provided comment on this plan and continues to work with the Parish.

3.17 Lichfield District Council will continue to work with communities providing advice and guidance throughout the neighbourhood plan process. This includes providing detailed comments and representations on drafts of the neighbourhood plans when requested by the Parish Councils.

Alternative Options	<ol style="list-style-type: none"> 1. The Committee recommends an alternative timetable for both the preparation of the Local Plan Allocations document and the Local Plan Review. This would require a revised Local Development Scheme to be prepared. 2. The Committee recommends amendments to the proposed scope of the Local Plan Review identified at paragraph 3.7
Consultation	<ol style="list-style-type: none"> 1. Consultation will be required on any major modifications to the Local Plan Allocations. 2. Consultation is required on the Local Plan Review.
Financial Implications	<ol style="list-style-type: none"> 1. Officer time will be needed to run the consultation on the Local Plan Allocations. 2. The costs of consultation will be met within approved budgets. 3. The cost of any future Examination in Public has been estimated along with the need to seek Counsel support, this is reflected in the MTFS as follows: <ol style="list-style-type: none"> a. Local Plan Allocations Examination in Public costs 2018/19 £60,000 4. Earmarked Reserves to cover legal fees and consultancy support £30,000.

	<ol style="list-style-type: none"> Officer time will be needed to run consultation events on the Local Plan Review. There will be a need to commission evidence associated with the Local Plan Review.
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Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> Supports the priority of a vibrant and prosperous economy as it assists in the delivery of the planning function of the Council. Supports the priority of Healthy and Safe communities by ensuring the provision of housing. Supports the priority of clean, green and welcoming places to live by assisting in allocating land for affordable housing, as well as supporting the delivery of residential and commercial developments.
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Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> An Equality Impact Assessment accompanies the Local Plan Allocations. An Equality Impact Assessment will accompany the Local Plan Review
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Crime & Safety Issues	<ol style="list-style-type: none"> None.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Clarity over the GBHMA shortfall is not achieved and the Council are unable to effectively progress with the Local Plan Review.	Officers continue dialogue with neighbouring authorities on this matter. Consideration of any outcomes arising from the GBHMA shortfall will be made as new evidence is published.	Yellow
B	Evidence required to support the Local Plan Review has a detrimental impact on the proposed timescales and allocated budget.	Consideration of evidence base requirements is an iterative process. Officers will continue engagement with stakeholders involved in shaping evidence base requirements to ensure the initial scope is clear. Project management practices are followed in the preparation and delivery of evidence base. New requirements arising from external factors such as future consultations will be considered by officers.	Yellow
C	Modification requirements are proposed by the Local Plan Allocations Inspector which detrimentally impacts the timetable for adoption.	Officers will consider Inspector findings and if modifications are required an updated timetable will be presented to Members.	Yellow

<p>Background documents:</p> <p>Local Plan Strategy 2015</p> <p>Local Plan Allocations Regulation 19 (Focused Changes) consultation</p> <p>Statement of Community Involvement</p> <p>Local Development Scheme</p>
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<p>Relevant web links:</p> <p>Local Plan Strategy 2015</p>
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[Local Plan Allocations Regulation 19 \(Focused Changes\) consultation](#)

[Statement of Community Involvement](#)

[Local Development Scheme](#)