

Local Plan update

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



Date: 14th March 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) closed on the 19th February 2018. Officers are considering all responses received and will prepare a report to Cabinet. The intention is to submit the Plan for Independent Examination in May 2018 which will be in line with the adopted Local Development Scheme.
- 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 subject to consultation. Responses to the consultation are set out at **APPENDIX A**.
- 1.3 Officers are preparing a Local Plan Review document for the purposes of public consultation in April 2018.
- 1.4 There is a need to update the Council's Statement of Community Involvement due to changes in legislation. These changes are however factual and will not require public consultation.
- 1.5 Neighbourhood Plan progress is positive with Lichfield City and Whittington & Fisherwick recently completing their referendums.

2. Recommendations

- 2.1 That the Committee notes the comments received and officer responses to the Strategic Environmental Assessment Scoping Report (**APPENDIX A**).
- 2.2 That the Committee notes the need to update the Council's Statement of Community Involvement as a result of legislative changes.
- 2.3 The Committee notes the ongoing 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 during 8th January 2018 – 19th February 2018. In total 251 representations were received. These representations are currently being analysed by officers. This analysis will inform the next steps associated with the Local Plan Allocations progression.

3.2 Officers will prepare a report for consideration by Cabinet (1st May 2018) which will set out the next recommended steps. The adopted Local Development Scheme indicates that the next intended action is to submit the Plan for the purposes of Examination.

Local Plan Review

3.3 The adopted Local Development Scheme identifies April 2018 as the initial stage of consultation on the Local Plan Review.

3.4 As identified at the January EGED (Overview and Scrutiny) Committee meeting the review will cover:

- Review of vision and objectives;
- Review of policies contained within adopted Local Plan Strategy;
- The need to meet the 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.

3.5 Officers are in the process of developing a draft document reflective of the above.

3.6 A Strategic Environmental Assessment Scoping Report was subject to consultation, closing in January 2018. In total 10 responses were received. These responses have been processed, analysed and officer responses have been prepared (**APPENDIX A**).

3.7 The feedback received informs the emerging Local Plan Review Sustainability Appraisal, which in turn informs the emerging Local Plan Review document.

Statement of Community Involvement (SCI)

3.8 There are a number of legislative changes associated with the SCI. This is due to recent amendments to the Planning and Compulsory Purchase Act 2004. The changes are summarised below:

- Changes to the need to publicise the designation of a neighbourhood area and modification to neighbourhood areas
- Identification of which policies are strategic for the purposes of neighbourhood planning
- Add neighbourhood planning qualifying bodies to those required to be notified of planning applications
- From 1st June planning consultations should include extra days where bank holidays occur.
- A requirement to keep the SCI up to date and review it every 5 years
- From 1st June Permission in Principle and subsequent Technical Details Consent regime for non major residential development will come into force, requiring publicity

3.9 This will require a factual update of the SCI to be undertaken. At the time of writing it is not considered that any further changes will be required to the SCI. Due to the nature of changes required it is not proposed for public consultation to be undertaken on an updated version of the SCI.

Neighbourhood Plans

3.10 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 took place on 22 February 2018. The referendum results were as follows; the Lichfield City neighbourhood plan referendum received a turnout of 17.0% with 2384 (57%) votes in favour and 1806 (43%) against the making of the neighbourhood plan; the Whittington & Fisherwick neighbourhood plan referendum received a turnout of 19.6% with 392 (90%) votes in favour and 43 (10%) against the making of the neighbourhood plan. The District Council will now prepare a decision statement proposing the 'making' of the neighbourhood plans and this will be reported to Cabinet and Full Council.

3.11 In addition to the above Neighbourhood Plans there has been further progress on a number of other 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 District Council consulted upon the draft plan between 5th January and 27th February 2018, this consultation period was extended after the Parish Council identified an error in the submission document. In order to ensure the plan was consulted upon for the required time period the District Council extended the consultation. The Alrewas Neighbourhood Plan is now being examined by the Independent Examiner who undertook the first examination on the previous draft Neighbourhood Plan. A report will be provided by the Independent Examiner in due course once the examination concludes. Following this Lichfield District Council will be required to consider the Examiners report and produce a decision statement which will outline whether the Neighbourhood Plan can proceed to referendum or not.
- Longdon Neighbourhood Plan – Longdon Parish Council have submitted the draft Neighbourhood Plan to the District Council. The draft Neighbourhood Plan is currently being consulted upon prior to being submitted to an Independent Examiner for examination. The consultation will close on 9 March 2018.
- Armitage with Handsacre Neighbourhood Plan – Armitage with Handsacre Parish Council have submitted the draft Neighbourhood Plan to the District Council. The draft Neighbourhood Plan is currently being consulted upon prior to being submitted to an independent examiner for examination. The consultation will close on 6 April 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 plan Neighbourhood Plan and continues to work with the Parish Council as they progress.

3.12 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.

3.13 Fazeley Parish Council recently expressed an interest in progressing a Neighbourhood Plan for their area, the District Council has provided initial advice on this basis and will continue to provide advice and support to the Parish should they determine to proceed to produce a Neighbourhood Plan.

Alternative Options	<ol style="list-style-type: none"> 1. The Committee do not accept the proposed officer responses to the Strategic Environmental Assessment Scoping Report consultation representations. 2. The Committee recommend that consultation on the changes to the Council's Statement of Community Involvement be undertaken.
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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. 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 2. Earmarked Reserves to cover legal fees and consultancy support £30,000. 3. Officer time will be needed to run consultation events on the Local Plan Review. 4. There will be a need to commission evidence associated with the Local Plan Review.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. Supports the priority of a vibrant and prosperous economy as it assists in the delivery of the planning function of the Council. 2. Supports the priority of Healthy and Safe communities by ensuring the provision of housing. 3. 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.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. An Equality Impact Assessment accompanies the Local Plan Allocations. 2. An Equality Impact Assessment will accompany the Local Plan Review
Crime & Safety Issues	<ol style="list-style-type: none"> 1. None.

	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

Background documents:

Local Plan Strategy 2015

Local Plan Allocations Regulation 19 (Focused Changes) consultation

Statement of Community Involvement

Local Development Scheme

Relevant web links:

[Local Plan Strategy 2015](#)

[Local Plan Allocations Regulation 19 \(Focused Changes\) consultation](#)

[Statement of Community Involvement](#)

[Local Development Scheme](#)