

## **ITEM 8      Test Valley Borough Local Plan - Issues & Options Consultation**

Report of the Planning Portfolio Holder

### **Recommended:**

- 1. That the Test Valley Borough Local Plan Issues & Options document, as shown in Annex 1 to the report, be published for public consultation.**
- 2. That the amended timetable for the production of Borough Local Plan and Gypsy & Traveller Development Plan Document be approved and published as an update to the Local Development Scheme 2017, as shown in Annex 2 to the report.**
- 3. That the Head of Planning Policy be authorised, in consultation with the Planning Portfolio Holder, to make changes of a minor nature to improve the presentation of and correct typographical errors in Annex 1 and Annex 2 to the report prior to publication.**

### **Recommendation to Council**

#### **SUMMARY:**

- The report seeks approval for public consultation on the Council's proposed Borough Local Plan Issues & Options document.
- It also seeks approval to amend the timetable for the production of the Borough Local Plan and Gypsy & Traveller Development Plan Document (DPD).

### **1 Introduction**

- 1.1 The Local Plan sets out the planning framework for the Borough as well implementing the aspirations of the Council, its communities and other organisations.
- 1.2 The current Local Plan was adopted in January 2016 and covers the period up to 2029. In June 2017 the Council adopted its Local Development Scheme setting out the timetable for the new Local Plan. The first stage was agreed as an Issues and Options consultation (I&O). It was also agreed to repeat the first consultation on the draft Gypsy & Traveller Development Plan Document and to set a timetable for its production.
- 1.3 This report seeks approval for the I&O document to be published for consultation. In getting to this stage it is necessary to review and update the timetable for the production of the new Local Plan. It is also proposed to review the Gypsy & Traveller DPD timetable.

## **2 Background**

- 2.1 The Borough Local Plan is the statutory document which sets out the vision for Test Valley in land use planning terms. It sets out the scale and location of growth; what infrastructure is required; and how certain areas of the Borough be protected from development. It is the basis for determining all planning applications within the Borough.
- 2.2 As well as establishing the land use framework for the Borough, the Local Plan acts a delivery tool for meeting the Council's and the communities aspirations. The local plan and the Corporate Plan are intrinsically linked.
- 2.3 The Council's Corporate Plan outlines a commitment that the review of the Local Plan will present an opportunity to work more closely with communities. This approach to actively engage with the community and encouraging close collaborative approaches in strategies has already proved successful in the Andover Vision, Romsey Future and Community Planning Toolkit projects. This approach has helped frame the decision to undertake an 'Issues and Options' stage (I&O). This was agreed by Council on 28 June 2017.

## **3 Corporate Objectives and Priorities**

- 3.1 The Borough Local Plan is a key policy document in respect of delivering the Council's own corporate objectives. It, along with the Gypsy & Traveller DPD, sets out the policy framework for protecting and enhancing the environment and making provision for new housing, employment and other land uses.

## **4 Consultations/Communications**

- 4.1 In drafting the I&O document officers have engaged with Borough Councillors, Parish Councils and other organisations. This has helped to inform the content of the document.
- 4.2 The document has been drafted to try and engage with a range of communities, third parties and interest levels. Where possible the technical language has been kept to a minimum. Inevitably, given the range of issues that the Borough faces, the document is long. To help engagement an executive summary will be produced.
- 4.3 In line with the Council's Statement of Community Involvement (December 2017), and suggestions from Members, different approaches to public consultation are being worked on with the Communications team. This includes better use of social media.
- 4.4 Subject to the agreement of Full Council on 27 June, the I&O document would be consulted upon for a 10 week period. It is estimated that the consultation period would commence 6 July and run to 14 September. Officers propose the longer consultation in order to take account of the summer holiday period and allow for feedback from those parish councils who meet alternate months.

## **5 Options**

- 5.1 The first consideration is whether or not to publish the Issues & Options document for public consultation.

- 5.2 The second consideration is whether or not to approve a revised timetable for the production of the Borough Local Plan and Gypsy & Traveller DPD within the Local Development Scheme.

## **6 Option Appraisal**

### *Issues & Options (I&O) document*

- 6.1 The principle of undertaking an I&O stage was agreed by Council in June 2017. The content of annex 1 reflects the proposed approach set out in that report. The I&O document outlines the story of what issues the Borough faces, what the Council is required to do and what realistic options are available to the Council. This would have the aim of seeking views /involvement on which issues should be included in the plan. Many of the questions and options, therefore, are quite wide ranging and open-ended.
- 6.2 The document has been structured in a series of themes reflecting the current Corporate Plan with each section highlighting individual planning issues and the options that could be considered. Questions are then posed. This is not intended to limit responses but to help focus potential comments. Comments received which do not respond or relate to the questions would still be recorded and considered.
- 6.3 The themes and the questions reflect the strategic issues the Borough will face and what national planning guidance requires the Council to do. The document does not indicate a preferred approach. To do so would not assist with the open and transparent approach to community engagement as sought by the current Corporate Plan.
- 6.4 It is recognised that later versions of the Local Plan will need to be adapted to reflect the themes of the future Corporate Plan. The proposed timetable for consultation would complement and share the public engagement exercises planned for the draft Corporate Plan. The responses on the I&O can be used to help develop the emerging corporate priorities later this year.
- 6.5 To not publish the I&O document would cause a delay to the overall Local Plan timetable and be inconsistent with the Council's commitment to community engagement in the planning process.

### *Local Development Scheme*

- 6.6 A Local Development Scheme (LDS) sets out the timetable for producing local plans and gives a broad summary of their content. There is a legal requirement to ensure they are kept up to date<sup>1</sup>. The Council's last LDS was adopted in June 2017.
- 6.7 The timetable for progressing with the next Local Plan has been focussed on ensuring that the Council can remain in the strongest possible position to guide development and secure the benefits which a Local Plan can bring e.g. affordable housing delivery, job creation etc. The current LDS identified an I&O consultation to take place late 2017.

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<sup>1</sup> Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

- 6.8 At the time of agreeing the current LDS officers were mindful of the content of the Housing White Paper 'Fixing our Broken Housing Market' which included a proposal to review the Local Plan every five years. Since that time the Government has clarified the position.
- 6.9 From the 6 April 2018, Regulations came into force which introduced a requirement to review Local Plans and Statements of Community Involvement at least every 5 years from adoption. To comply with this authorities must, every five years from the adoption of the plan, carry out an assessment of whether it remains relevant and effectively addresses the needs of the local community, or whether policies need updating. Having carried out this assessment authorities must decide:-
- a) that one or more policies do need updating, and update their Local Development Scheme (LDS) to set out the timetable for updating their plan, and then update their plan; or
  - b) that their policies do not need updating, and publish their reasons for this decision.
- 6.10 The implication of these Regulations is that there is no legal requirement to have a new plan in place five years from adoption. This means that a less condensed timetable needs to be followed. However, there remain benefits of progressing with the Local Plan especially in relation to maintaining a consistent five year housing land supply. It will be necessary to keep the revised timetable under review to take account of any future proposals from Government e.g. the outcome of the consultation on the National Planning Policy Framework.
- 6.11 In light of the above, it would be appropriate to approve a revised LDS timetable for the statutory stages of the Local Plan preparation (see annex 2). It should be noted that once a local plan is submitted, the timetable is at the discretion of the Planning Inspectorate.
- 6.12 As identified in the June 2017 Cabinet report it may be necessary to undertake further consultations with parish councils/neighbourhood plan groups on potential quantity and distribution of sites to inform later stages of the Local Plan. The merits of doing this would be considered as part of reviewing the I&O comments.
- 6.13 At the Council meeting in June 2017 it was agreed to repeat the consultation on the draft Gypsy & Traveller Development Plan Document given the changes to national guidance and the evidence base. The outcome of this process would then be incorporated within the Local Plan at an appropriate stage of the process.
- 6.14 The current LDS indicates that consultation on the Gypsy & Traveller DPD would be undertaken in early 2018. However additional time is required to consider possible approaches to meeting the Borough's needs. This includes investigating what site(s) are available. The Council's 'call for sites' exercise, undertaken in late 2017 as part of the Strategic Housing and Economic Land

Availability Assessment, did not identify further sites for Gypsies. Two sites were promoted for Travelling Showpeople. Officers are undertaking additional work to see what land may be available to help meet future need. This includes contacting the major landowners directly. As previously agreed the Gypsy & Traveller DPD would still be incorporated into the Local Plan at a later stage.

- 6.15 As set out above there is a legal requirement to keep a LDS updated. To not amend the timetable would see the Council being inconsistent with legislation. The timetable proposed is considered achievable.

## **7 Risk Management**

- 7.1 An evaluation of the risks associated with the matters in this report indicate that further risk assessment is not needed because the changes/issues covered do not represent significant risks or have previously been considered by Councillors (July 2012, October 2014, September 2016).

## **8 Resource Implications**

- 8.1 The principal resource in preparing and consulting on the Issues & Options document is the significant time required from the Planning Policy Team and the support required from other Services. The cost of taking the document through the process of consultation will be met from existing resources. Officers are looking at different approaches in order to minimise cost. This includes overlapping with any consultation exercises undertaken as part of the next corporate plan.

## **9 Legal Implications (Note: Of the chosen option)**

- 9.1 A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

## **10 Equality Issues**

- 10.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EQIA has not been carried out.

## **11 Other Issues**

- 11.1 Community Safety – N/A
- 11.2 Environmental Health Issues – N/A
- 11.3 Sustainability and Addressing a Changing Climate – Sustainability is a fundamental element of the planning system and is incorporated within any future planning decision.
- 11.4 Property Issues – N/A

11.5 Wards/Communities Affected - All

**12 Conclusion and reasons for recommendation**

12.1 This paper seeks the approval to publish the Issues & Options document. This is the first stage of the next Borough Local Plan and would be the subject of public consultation for a 10 week period. This report also proposes an updated timetable to reflect the current position with regards to both the Borough Local Plan and the Gypsy & Traveller DPD.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Test Valley Borough Local Plan 2016			
Test Valley Gypsy & Traveller DPD (Reg 18 version) 2015			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	PP2.2
(Portfolio: Planning) Councillor Adams-King			
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