



CABINET

15TH OCTOBER 2015

AGENDA ITEM (8)

LOCAL PLAN REG. 18 CONSULTATION : PLANNING POLICIES

Accountable Member	Councillor NJW Parsons Deputy Leader of the Council and Cabinet Member for Forward Planning
Accountable Officer	Chris Vickery Forward Planning Manager 01285 623544 chris.vickery@cotswold.gov.uk

Purpose of Report	To seek Cabinet approval of the consultation document detailing the emerging Local Plan's planning policies.
Recommendations	<p>(a) That Cabinet considers the consultation document at Appendix 'A';</p> <p>(b) that the Deputy Leader of the Council and Cabinet Member for Forward Planning be authorised to approve outstanding matters, including minor amendments to the consultation document, prior to the start of the public consultation period;</p> <p>(c) that, subject to any amendments resolved by Cabinet, together with any amendments and/or updates approved under (b), the consultation document is made available for public comment, together with: (i) Sustainability Appraisal; and (ii) Habitat Regulations Assessment; for a period of at least six weeks, commencing during November 2015.</p>
Reason(s) for Recommendation(s)	To enable Cabinet to formally consider and approve the content of the document referred to above for public consultation.

Ward(s) Affected	All
Key Decision	Yes
Recommendation to Council	No

Financial Implications	<p>The only direct implication is the cost associated with printing and distributing the document.</p> <p>These costs will be funded from the Local Development Framework earmarked reserve.</p>
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Legal and Human Rights Implications	None directly arising from this report – this will be an informal, rather than statutory, consultation exercise in accordance with Regulation 18 of the Town & Country Planning (Local Planning)(England) Regulations 2012.
Environmental and Sustainability Implications	These implications are implicit in the policies set out in the consultation document at Appendix 'A' .
Human Resource Implications	None directly arising from this report.
Key Risks	<p>The policies and strategies set out in the consultation document are based on extensive evidence gathering and analysis, which reflect the requirements of the latest national guidance and regulations on plan-making.</p> <p>In the absence of robust evidence, any amendments sought to the proposed contents of the Paper could potentially present a risk of the Local Plan ultimately being deemed unsound at independent examination. This could affect part of, or the entire, submitted Plan, depending on the nature of the amendment(s) sought and the evidence put forward to support them. If any parts of the Plan were found to be unsound, there could well be delays in delivering an up-to-date Local Plan for the District.</p> <p>All authorities are expected to use the most up-to-date evidence, wherever practicable, when preparing local plans. There is, however, no clear guidance explaining when or how evidence becomes sufficiently out-of-date to warrant refreshing. This is entirely a matter of judgement and, therefore, a potential risk.</p>
Equalities Impact Assessment	The forthcoming consultation will be prepared in accordance with the Council's Statement of Community Involvement, which was subject to an Equalities Impact Assessment. The Local Plan project as a whole has been subject to an Equalities Impact Assessment. These assessments have highlighted no issues.

Related Decisions	<p>Cabinet 4th December 2014: Local Plan Reg.18 Consultation: Development Strategy and Site Allocations</p> <p>Cabinet 5th December 2013: Local Plan Development Strategy</p> <p>Cabinet 9th May 2013: Local Plan Consultation Paper: Preferred Development Strategy</p> <p>Portfolio Holder 21st March 2013: Switch from preparing Core Strategy to a comprehensive Local Plan.</p>
Background Documents	<p>The following key background documents are directly relevant to the production of this consultation document:</p> <ul style="list-style-type: none"> (i) Cirencester Parking Survey results (GCC, August 2015) (ii) Evidence Paper: Cotswold Water Park (CDC, July 2015) (iii) Scoping the Cirencester Town centre SPD (CDC, March 2015) (iv) Cirencester Sports and Recreation Needs (Ploszajski Lynch Consulting Ltd, January 2015) (v) Cirencester Concept Statement (Cirencester Town Council, January 2015) (vi) Evidence Paper: Local Green Spaces (CDC, November

	<p>2014)</p> <p>(vii) Evidence Paper: Supplement to Cotswold Economy Study 2012 and Economy Evidence paper (CDC, November 2014)</p> <p>(viii) Historic Environment Topic Paper - (CDC, July 2014)</p> <p>(ix) Strategic Employment Land Availability Assessment Viability Considerations (Hewdon Consulting, May 2014)</p> <p>(x) Strategic Housing Market Assessment review (HDH Planning & Development, March 2014)</p> <p>(xi) Strategic Housing Land Availability Assessment Viability Assessment (POS Enterprises, March 2014);</p> <p>(xii) Infrastructure Delivery Plan: Interim Version (ARUP, May 2013)</p> <p>(xiii) Cotswold Economy Study (Peter Brett Associates, November 2012)</p> <p>(xiv) Open Space, sport and recreation study (CDC / pmogenesis, November 2011)</p> <p>(xv) LDF Core Strategy: Second Issues and Options Paper (CDC, December 2010)</p> <p>(xvi) First I&O</p> <p>(xvii) Cirencester Town Centre Supplementary planning Document (November 2008)</p> <p>(xviii) Cotswold District Local Plan 2001-2011 (CDC, April 2006)</p> <p>The following documents are nearing completion:</p> <p>(i) District-wide Sport and Recreation Needs Study (update of 2011 study): (Ploszajski Lynch Consulting Ltd)</p> <p>(ii) Open Spaces Study (CDC)</p> <p>(iii) Evidence Paper update: Local Green Spaces (CDC)</p> <p>A comprehensive list of background evidence documents pertaining to other aspects of the emerging Local Plan was included in the December 2014 Cabinet report.</p>
Appendices	Appendix 'A' - Local Plan Reg. 18 Consultation: Planning Policies - draft for consultation

Performance Management Follow Up	N/A
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<p>Background Information</p> <p>1. The National Planning Policy Framework (NPPF) requires every local planning authority to produce a Local Plan that plans positively for the development and infrastructure required in its area. The emerging review of the Cotswold District Local Plan will set out policies and proposals aimed at meeting the challenges facing the area over the period 2011 - 2031. The plan's policies and proposals must be consistent with the requirements of the NPPF.</p> <p>2. The Council has already consulted informally on the District-wide Development Strategy; site-specific housing and employment allocations; gypsy and traveller sites; and local green spaces. This report seeks Cabinet approval for the proposed content of the final, informal consultation document, detailed at Appendix 'A', which has been enclosed as a separate document with this Agenda.</p>

[Please note: In the document at Appendix A, 'Monitoring Indicators' appears as a heading at the end of each section, and there is a 'Monitoring Framework' section at the end of the document. Although these have yet to be populated with text, the final version of the Consultation document will include this monitoring information. The resulting text (which will not affect any policy wording), will be approved in accordance with Recommendation (b) of this report].

3. The proposed new policies are quite different from the saved policies of the current Local Plan. A key reason for this is that the Council needs to avoid repeating policy that exists at national level in the NPPF, or technical detail that is comprehensively addressed in Planning Practice Guidance (PPG). The Local Plan needs to be a document that addresses local issues. Once adopted, the policies will be used by the Council to assess planning applications alongside the NPPF.

4. The robustness of all aspects of the Local Plan is dependent on the availability of the latest evidence. The iterative nature of the plan preparation process means that, at the time of preparing papers for this Cabinet report, some evidence was awaited; hence, certain policies may require further amendments prior to publication. To take account of this possibility, Officers recommend that decisions on minor amendments to the policies proposed in Appendix A be delegated to the Portfolio Holder for Forward Planning.

5. The proposed planning policies are primarily intended to assist in the delivery of the Council's Local Plan Objectives. The Objectives have previously been made available for public comment in consultation documents, most recently in January 2015 (Development Strategy and Site Allocations). The Local Plan Objectives are not part of this consultation.

6. Representations that were submitted in respect of the January 2015 document, along with any that result from the forthcoming consultation, will be taken into account in producing a 'Pre-Submission' version of the Local Plan. This will be the whole Local Plan and it will be subject to statutory public consultation procedures in spring 2016 under Regulation 19 of the Town and Country Planning Regulations. Unlike consultation under Regulation 18, it will be a formal stage of plan preparation, which entails prescribed, statutory, procedures. Importantly, representations submitted under Regulation 19 will be restricted to comments relating to the 'soundness' of the draft Local Plan or to its compliance with legal requirements or processes. This is because the system is based on the assumption that the submitted plan is essentially sound; hence, the Inspector will focus on representations challenging its soundness when examining the Local Plan and the supporting evidence. The examination will be held in public and the Inspector may, at her or his discretion, invite people who have made representations to take part in discussions.

7. To reiterate, and for the avoidance of doubt, the forthcoming Local Plan Planning Policies consultation document does not address any representations that were made in relation to the public consultation undertaken earlier in 2015. Those representations will be taken into account when preparing the Pre-Submission Local Plan next year.

(END)