



CABINET

15TH FEBRUARY 2018

AGENDA ITEM (12)

MAIN MODIFICATIONS AND POLICIES MAPS CHANGES TO THE SUBMITTED COTSWOLD DISTRICT LOCAL PLAN

Accountable Member	Councillor NJW Parsons Deputy Leader and Cabinet Member for Forward Planning
Accountable Officer	Philippa Lowe Head of Planning and Strategic Housing 01285 623000 philippa.lowe@cotswold.gov.uk

Purpose of Report	To agree to formal consultation on the Main Modifications and Policies Maps changes to the Local Plan (which are deemed necessary by the Local Plan examination inspector to ensure that the document is 'sound'). A copy of the updated Local Plan, incorporating the Main Modifications, will be made available in the Members' Room.
Recommendations	<p>(a) That the Main Modifications and Policies Maps changes to the submitted Cotswold District Local Plan (set out at Appendix 1) be approved for the purpose of a six-week period of formal consultation in accordance with the Council's Statement of Community Involvement in a similar manner to that in which it would be carried out under Regulation 19;</p> <p>(b) that the Deputy Leader of the Council and Cabinet Member for Forward Planning be authorised to approve Additional Modifications to rectify factual, grammatical and/or typographical errors, together with any updates which do not alter the meaning/intent of the Plan, as necessary, prior to the adoption of the Local Plan in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.</p>

Reason(s) for Recommendation(s)	To provide an opportunity for comments to be made, through a formal consultation process, on any soundness issues specifically associated with the Main Modifications and changes to the Policies Maps. <i>It is important to note that this report relates solely to Main Modifications and Policies Maps changes proposed to the submitted Local Plan (which, itself, incorporated Focussed Changes and Minor Modifications).</i>
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Ward(s) Affected	All
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Key Decision	Yes
Recommendation to Council	No

Financial Implications	There are no significant cost implications arising from this report other than the normal costs associated with public consultation.
Legal and Human Rights Implications	<p>The Main Modifications have been produced for publication under the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Regulations').</p> <p>Under the Regulations, the Council must make a copy of the Main Modifications documents and a statement of representations procedure available for consultation via its website; its principal office; and such other places within the area as it considers appropriate for a period of six weeks.</p>
Environmental and Sustainability Implications	<p>These implications are implicit in the Main Modifications consultation.</p> <p>The Council must also undertake an update of the sustainability appraisal to consider the environmental, social and economic impacts of the Main Modifications and changes to the Policies Maps (see Appendix 2). Habitat Regulations Assessment (HRA) is similarly required in order to assess any potential impacts on European Sites and, where necessary, identify potential mitigation measures (see Appendix 3).</p>
Human Resource Implications	None directly arising from this report.
Key Risks	The Main Modifications at Appendix 1 are deemed to be necessary by the Inspector to ensure that the Local Plan meets nationally-prescribed 'tests of soundness' (<i>NPPF 182: Positively prepared; Justified; Effective; and Consistent with National Policy</i>). They are the outcome of an exhaustive examination process, comprising 11 days of hearing sessions on 16 different matters. Any deviation from the Main Modifications or the consultation procedures could potentially jeopardise the soundness of the Local Plan.
Equalities Impact Assessment	The Submission Draft Cotswold District Local Plan was accompanied by an Equalities Impact Assessment (EIA). The reviewed EIA Assessment has concluded that the Main Modifications would have a neutral effect on different protected groups.

Related Decisions	<p>Council, 13th June 2017 - Focussed Changes and Minor Modifications to the Submission Draft Cotswold District Local Plan</p> <p>Cabinet, 20th October 2016 - Submission Draft Cotswold Local Plan - Focussed Changes</p> <p>Council, 17th May 2016 - Cotswold District Local Plan Submission Draft Reg. 19</p> <p>Cabinet, 21st April 2016 - Cotswold District Local Plan Submission Draft Reg. 19</p>
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Background Documents	<p>The following key background documents have been published on the Local Plan Examination web-page:</p> <p>(i) Inspector's Main Modification's Note, January 2018 [ED080]: http://www.cotswold.gov.uk/media/1574644/ED080-Cotswold-LP-Main-Mods-Note-Jan-2018-v2.pdf</p> <p>(ii) Local Plan Submission Draft Reg. 19 tracked changes with Focussed Changes and Minor Modifications, July 2017 [SD007] http://consult.cotswold.gov.uk/portal/fp/local_plan_2011-2031/local_plan_tracked_changes_july_2017/local_plan_july_2017?tab=files</p>
Appendices	<p>Appendix 1 - Cotswold District Local Plan 2011-2031 Post-Submission Main Modifications (February 2018)</p> <p>Appendix 2 - Sustainability Appraisal Report Addendum to accompany Main Modifications (AECOM, January 2018)</p> <p>Appendix 3 - Letter re. Cotswold Local Plan HRA - Review of Main Modifications and Changes to the Policy Map (LUC, 19th January 2018)</p>

Performance Management Follow Up	Implement Cabinet decision(s)
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<p>Background Information</p> <p>1. <u>Introduction</u></p> <p>The Submitted Local Plan (Submission document SD007 on the Examination website), incorporated the Reg. 19 Submission Draft, together with Focussed Changes and Minor Modifications to the Submission Draft. SD007 has been the subject of examination since the Plan was submitted in July 2017. The examination process has included eleven days of hearing sessions, which took place under the auspices of a Planning Inspector during October/November 2017.</p> <p>2. <u>The Main Modifications</u></p> <p>2.1 Over the past few months, the Council has produced, and periodically updated, a live schedule of Main Modifications, various versions of which have appeared on the Examination website. The latest schedule is the culmination of various iterations, which have, in particular, been influenced by questions and actions from the Inspector to the Council. Questions and actions have emerged in response to his examination of the submitted documents; representations; and oral evidence heard at the hearing sessions.</p> <p>2.2 The resulting Main Modifications are geared towards amending the Plan to ensure that it passes 'tests of soundness' (NPPF 182). The Inspector has endorsed the schedule of Main Modifications at Appendix 1; therefore, they can justifiably be considered fit-for-purpose because they have come about as a result of independent examination of all available evidence. For this reason, Officers recommend that Cabinet approves for consultation the proposed Modifications as written because any changes to them could result in a potential risk to the Plan's soundness (see Key Risks above).</p> <p>3. <u>Next Steps</u></p> <p>3.1 The Regulations require that the Main Modifications (including changes to the Policies Maps) are published for a six week period of public consultation. Any resulting representations submitted during the published consultation period will be forwarded to the Programme Officer along with:-</p>

- a report listing all of the representations made about each of the proposed Main Modifications and changes to the policies maps;
- a summary of the main issues raised; and
- a brief response to those main issues from the Council.

3.2 The Inspector will consider all of the duly-made representations on the proposed Main Modifications before finalising his report on the Local Plan. Normally, all issues arising from the consultation should be capable of being considered through the written representations procedure. Exceptionally, however, the Inspector may decide that it is necessary to hold a further hearing session(s) to clarify and resolve any substantive outstanding issues relating to the proposed Main Modifications. If this is the case, all representors will be informed and the Examination website updated accordingly.

3.3 Following the consultation on the Modifications, the next main steps to adoption are as follows:

- Council - review representations, summarise, send to Inspector;
- Inspector - finalise report;
- Planning Inspectorate - quality assurance;
- Council - fact check;
- ADOPTION of the Local Plan by the Council.

3.4 If no unforeseen problems or significant issues arise, the Council should be in a position to embark on adopting the Local Plan during the summer of 2018.

(END)