

# South Gloucestershire Council

**COMMITTEE:** POLICY AND RESOURCES COMMITTEE

**DATE:** 12<sup>th</sup> December 2016

**REPORT TITLE:** Initiation commencement document setting out the proposed scope, priorities, and programme for the new South Gloucestershire Local Plan.

**All Wards**

## **Purpose of Report**

1. P&R Committee has responsibility for the preparation of development plans. The Council's published Local Plan Delivery Programme identifies bringing forward the council's new Local Plan (SGLP) alongside the preparation of the Joint Spatial Plan. The first stage of this is setting out what the SGLP will contain, how it will be prepared and the key challenges and priorities that the Plan will need to address. Upon final adoption, it is intended that the SGLP would replace the Council's Core Strategy, Policies Sites and Places Plan and the Minerals and Waste Local Plan. This report requests P&R's approval to publish for the purposes of public consultation, the Local Plan Initiation Commencement Document which is attached at **Appendix 1** and supporting background material. It also seeks the Committee's approval to update the timetable for preparing the new SGLP, which is contained at **Appendix 2**. The intention is that public consultation will commence in early January 2017 for 6 weeks in accordance with the engagement programme set out at **Appendix 3**. Following the close of consultation, members will be provided with an update with the intention to publish the Draft South Gloucestershire Local Plan later in 2017.

## **Policy**

2. Changes to planning system have introduced new and challenging demands on how local plans are to be prepared. We know from feedback received previously, that an overly extended phase of exploring key issues can result in the overall timetable for preparing the Plan becoming protracted. With this in mind, we have decided to make some changes to how the SGLP will be progressed and what it will contain compared to current local plan documents like the Core Strategy. This is introduced and explained in more detail in the Initiation Document. Members are also aware that South Gloucestershire is working with the other three West of England unitary authorities to prepare the Joint Spatial Plan (JSP). The JSP relates very closely to the Local Plan and it is important that we explain how this will work and the relationship between the two plans in the Initiation Document.

3. The purpose of the SGLP Initiation Document is to set out the scope, methodology and programme for preparing the new Local Plan. It also introduces and explains the strategic priorities for the area and how the Council intends to deliver new development that reflects the vision and aspirations of our local communities and the needs of people who live, work and invest in South Gloucestershire.

## **Background**

4. Planning law requires that planning decisions are made in accordance with the Council's Development Plan. To comply with this the SGLP will be a development plan document (DPD) prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

Progressing this new Plan is required because:

1. When our Core Strategy was found sound and adopted in December 2013 it was a condition that the council should undertake an early review of its Core Strategy.
2. Only by having an up to date Plan can the council comply with planning law and government guidance thereby ensuring full weight can be given to the local plan when making planning decisions.
3. It will provide a key policy framework delivery mechanism to take forward the ambition and objectives of the West of England Joint Spatial Plan (JSP) and the West of England Devolution Agreement (March 2016) as well as the plans and programmes of the Council and our partners.

### **How do the Joint Spatial Plan (JSP) and South Gloucestershire Local Plan (SGLP) work together?**

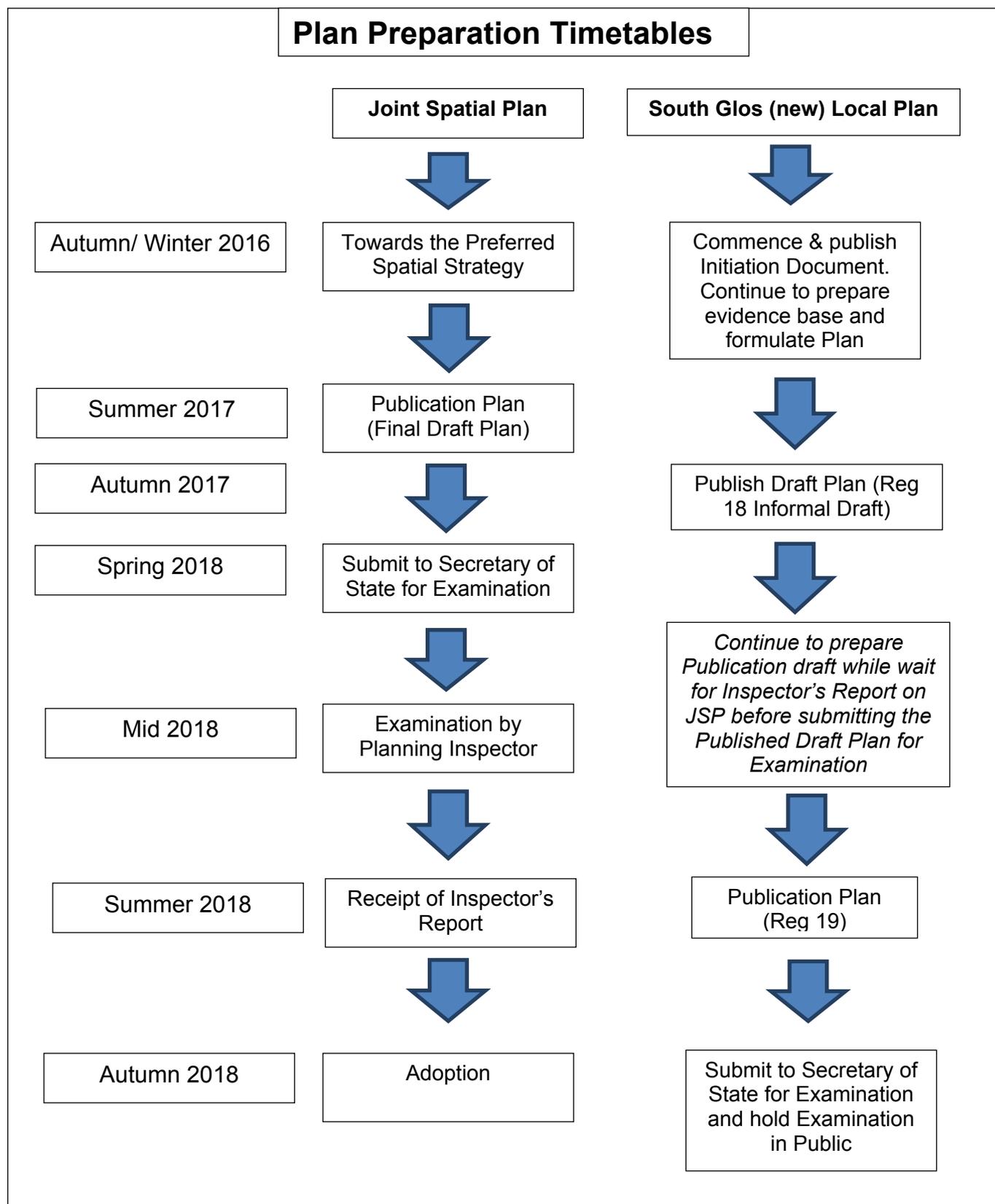
5. The JSP will set out the spatial strategy (the overall amount of development, where it should go and why) that identifies the best locations where new growth should be focused across the West of England region and the infrastructure needed to support that growth. By working on this strategy together, the aim is to ensure that development is sustainable and takes account of the fact that people live, work and travel across council boundaries, which means that what happens in one area affects its neighbours.

6. We consider that with these arrangements in place, we are better able to deliver the Government's commitment to plan making and the importance of having an up to date local plan in place. Our reasons for this are as follows:

1. Through the JSP we will have the debate and discussion once and in one place about the overall level and distribution of homes and jobs and the infrastructure needed to support new sustainable growth for the whole of the West of England. This will establish the broad locations for strategic development which will be presented on a Key Diagram;
2. Our new SGLP that will follow closely on from the JSP, will allocate sites on a Policies Map to promote the requisite amount of development identified for South Gloucestershire through the JSP. It will bring forward new land where necessary and provide detail on its form, scale, access and quantum of development where appropriate, as well as the new suite of planning policies needed to deliver sustainable development in South Gloucestershire;
3. We won't reopen and repeat matters that have been addressed through the JSP. This means less time will be needed to prepare our new SGLP, as many of the 'key questions' i.e. how much new growth and where strategic growth should be located will have been prepared and fully tested through the JSP. This will also mean we can focus more on local issues. More information about this is set out in Section 3 below.

7. The commitment to this approach has been set out in the West of England Devolution in Principle Agreement (March 2016). Through these processes and

actions the Council will ensure it has complied with the Duty to Co-operate. The overall time and process for bringing forward the new SGLP and how this relates and will work alongside the JSP is set out in the table below.



**Scope of the SGLP, its key strategic challenges and vision**

8. Government policy states Local Plans should be aspirational but realistic. In doing so local plans should address the spatial implications of economic, social and

environmental change. Having carefully reviewed Government policy and within the context of the Council's commitment to work jointly to prepare the JSP, crucially our Local Plan should:

- plan positively to deliver the outcomes of the JSP by allocating sites to promote development and provide detail on the form, scale, access and quantum of development where appropriate through making allocations and land-use designations on a policies (proposals) map;
- update and replace the Council's adopted Core Strategy and the Policies Sites and Places DPD, and consolidate these into a single Local Plan. The new SGLP will also address any required updating to the Council's policy framework for minerals and waste planning;
- recognise the challenges posed by climate change of achieving sustainable development and growth in South Gloucestershire up to 2036, consistent with the NPPF;
- co-operate with our neighbouring authorities, public, voluntary and private sector organisations;
- provide a policy framework that supports all places in South Gloucestershire to achieve their economic and social potential, with a key focus on locations that may benefit from planned remedial and regenerative actions;
- identify areas where it may be necessary to limit freedom to change the use of buildings, and support such restrictions with a clear explanation;
- identify land where development would be inappropriate, for instance because of its environmental or historic significance;
- contain a clear strategy for enhancing the natural, built and historic environment;
- and in so doing all the above, give spatial expression to the Council's vision, ambitions and objectives to ensure South Gloucestershire is a great place to live and work as set out in the South Gloucestershire Sustainable Community Strategy 2016, Council Plan 2016 and other relevant departmental plans, policies and programmes and those of our key partners that require interaction and delivery through the planning system to achieve their outcomes.

### **Setting the basis of the new SGLP**

9. As part of publishing the Initiation Document we are introducing a number of key work areas that will form the basis of the new SGLP. These are being introduced now so everyone has a clear opportunity right at the start of the Plan's preparation to consider and review. The intention is to gain early feedback and build consensus, bearing in mind this must be undertaken within the context of the JSP on the following matters:

- Introduction and background to why a new Local Plan is required
- Relationship with the JSP
- Strategic priorities for South Gloucestershire that reflect the vision and ambitions for our communities
- Relationship with Community Infrastructure Levy (CIL)

10. As part of this, the Initiation Document will also present the baseline work relating to:

- Policies to be covered in the SGLP and how we intend to combine and refresh policies in the Core Strategy and Emerging Policies Sites and Places DPD.
- Undertaking new Call for Sites and presentation of the Council's new interactive website.
- Work being undertaken to ensure existing urban areas continue to make a very significant contribution to the local economy and provide an enjoyable urban living and working experience, highlighting opportunities for new investment and redevelopment potential.
- Establish new place profiles detailing the sustainability characteristics of communities in South Gloucestershire and their potential to accommodate additional non-strategic growth as required by the JSP.

11. These matters are set out in more detail in the Initiation Document and supporting papers at Appendix 1. The working objective is that this technical work following comments received from public consultation, will be taken forward into the next stage of the Plan when it is published in 2017.

### **Consultation**

12. Early and meaningful engagement and collaboration with local communities, organisations, businesses and other stakeholders is essential. Ensuring that a wide section of our communities and other interested parties are well-engaged in the SGLP process from the start and are involved in how the Plan is prepared is a key objective. Our aim is as far as possible to reflect a collective vision and set of agreed priorities for the sustainable development of the area. This will ensure everyone who has an interest in the SGLP is aware of our intentions. It also means having achieved consensus on some key parts of the Plan, we can hopefully move more quickly into the next phase of the SGLP which is to publish a draft version of the Plan in 2017. An Engagement Programme is attached at **Appendix 3**. Key methods will include: use of digital platforms, as well as hard copy material presented. Through this approach, it is intended that a fair, open and balanced discussion can be held to ensure everyone has an opportunity to get involved and make their comments. A report on the outcome of the consultation will be made to members at a future meeting in 2017.

### **Risk Assessment**

13. For the Council to ensure full weight can be given to its planning decisions it is required to have an up to date local plan in place. The new SGLP will be a statutory development plan document and will therefore need to be prepared in accordance with local plan regulations and national policy to ensure it is a 'sound' document supported by technical evidence. The plan will need to set out clear justifications for the policies and allocations it will contain and ensure these are in conformity with the JSP. There is a clear rationale and justification for following this 'two tier' DPD approach. At this stage no final decisions have been made. The NLP consultation document is intended to facilitate a conversation on the evidence and technical work to date and how the new SGLP should be structured and prepared. Responses received will help to inform the Plan as it progresses to its next stage.

### **Financial Implications (includes tax implications such as VAT)**

14. As stated in the report, the ECS Department are confident that sufficient budgetary provision is available to resource the JSP and SGLP. However it must be recognised that these are complex plans and processes. Consequently additional

budgetary pressures may arise. These include the costs of meeting any major legal hurdles. If that is so this position will need to be reviewed and additional funding identified as necessary through the Council's normal decision making process. Any financial implications arising from the delivery of the JSP and SGLP are not covered in this report. These will be subject to the Council's normal decision making process for the Capital Programme and the Revenue Budget at the appropriate time.

Tim Parfit, Finance Manager

☎ 01454 863115/ 01454 865841

### **Legal Implications**

15. As a formal DPD the new SGLP will need to be prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the requirements of the NPPF and NPPG. This will require each statutory stage to be formally completed and for the Plan to be prepared in accordance with the test of soundness as set out at paragraph 182 of the NPPF.

16. The preparation of the new SGLP is also supported by a governance framework as it progresses through its regulatory stages of production.

17 As reported to Council on 14<sup>th</sup> November, the draft Order establishing the West of England Combined Authority is progressing through the Parliamentary stages, it is anticipated that it will be formally laid before Parliament in the week commencing 19<sup>th</sup> December. The draft Order contains provisions which when they become law will place a duty on the Mayor to commence the preparation of a spatial plan for the area of the MCA. The draft Order states that these powers will come into force on 1<sup>st</sup> May 2018.

18 Members will be kept informed about the timetable for the production of the mayors spatial plan and will be advised of the relationship between it and the local plan.

Gill Sinclair, Deputy to the Head of Legal & Democratic Services

☎ 01454 863039

### **Human Resources Implications**

19. There are no HR implications arising from this report. The staff resources needed to prepare the new SGLP will be drawn in large part from existing staff within the Strategic Planning Policy Teams, supported as required by colleagues within other teams across the Strategic Planning & Housing Service, the Environment and Community Services Directorate and consultancy where the necessary expertise does not exist in-house. The teams have the skills to undertake this work. Robust project management arrangements will need to be maintained to ensure that the required staffing contributions are forthcoming and are well coordinated.

Gaynor Fisher, HR Business Partner

☎ 01454 868193

### **Environmental Implications**

20. The important role of the SLDP in planning positively for environmental protection and enhancement and mitigating and responding to climate change is reflected in the draft Initiation Document Scope and Key Challenges section. Following the completion of the consultation on the SGLP Initiation Document its recommendations will be taken into account in the preparing the draft new Local Plan. This will include a Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) that considers the environmental social and economic implications of the new SGLP at each stage of its development in accordance with the relevant guidance and procedures.

Jane Antrobus, Senior Environmental Policy Officer  
☎ 01454 865948

### **Social Implications**

21 Please refer to paragraphs 20 above.

Mark Pullin, Strong, Safer Communities Manager  
☎ 01454 868480

### **Economic Implications**

22 The new SGLP working together with the JSP will have significant and far reaching economic impact for South Gloucestershire. There will need to be a considered response to the impacts through the preparation and progression of the sustainability appraisal that supports this and successive stages of the new SGLPs preparation.

Antony Merritt, Strategic Economic Development Manager  
☎ 01454 863645

### **Equality Impact Assessment**

23. Whilst there are no direct implications arising from the recommendations in this report, equalities will be a key consideration of the new SGLP. This will be reflected in the extent of stakeholder and public engagement to be undertaken in the forthcoming public consultation. The new SGLP will be prepared in accordance with the relevant race and equalities guidance. The Council is reminded of its statutory duty, in the exercise of its functions, to have due regard to the aims of the Public Sector Equality Duty. In producing a Sustainability Appraisal for each Development Plan Document/ Local Plan document listed in its Local Plan Delivery Programme (LPDP) this will confirm the Council's commitment to equalities, and outline how an Equalities Impact Assessment for all those emerging documents in the LPDP will be undertaken.

Mark Pullin, Strong, Safer Communities Manager  
☎ 01454 868480

### **Privacy Impact Assessment**

24. In preparing the new SGLP officers will continue to consult widely and openly with all relevant stakeholders and communities and in doing so, will have full regard to its data protection responsibilities. All relevant and necessary steps, including removing personal contact details from correspondence received during any public

consultation stages and ensuring all parties are advised how their personal contact information will be used, will be undertaken in accordance with the council's appropriate policies.

Patrick Conroy, Strategic Planning Policy and Specialist Advice Team Manager  
☎ 01454 863574

## **Risks, Mitigations & Opportunities**

25. The commitment to prepare the new SGLP alongside the JSP demonstrates the Council's commitment to ensure it has an up to date Local Plan and that in so doing the council has taken appropriate account of strategic planning matters that require planning over a larger geographical area than covered by any one single local authority, thereby complying with the Duty to Co-operate. Moreover, this will also support the delivery of balanced and sustainable communities into the future with housing, employment integrated transport and infrastructure to support a competitive and growing economy. The new SGLP is therefore critical in order to manage growth within environmental constraints and to ensure South Gloucestershire Council has established local plan arrangements in accord with the Plan led system and duty to co-operate that are locally-designed and democratic. Failure to address these matters as part of preparing the new SGLP could lead to the Plan being not found sound and legally compliant.

26. To deliver the new SGLP will require a significant staff resource and budget commitment to ensure this work programme can be resourced. In recognition of the long-term nature of plan making and the peaks and troughs in expenditure as different stages are reached, the council has made provision for this both through its annual Local Plan studies budget and the local development framework long term reserve to fund the costs of preparing and consulting on the new SGLP. Currently, the ECS Department are confident that sufficient budgetary provision is available to resource the new SGLP.

27. These risks related to the new SGLP will be managed through the Environment and Community Services Executive Project Board. The management and oversight of such potential risks will be carefully reviewed as part of the preparation of the new SGLP.

## **RECOMMENDATION**

That P&R Committee is recommend to:

1. Approve the Initiation Commencement Document setting out the proposed scope, priorities and programme for the new South Gloucestershire Local Plan as contained at Appendix 1 for the purposes of public consultation.
2. Approve the revised timetable for completion of the new South Gloucestershire Local Plan as set out at Appendix 2.
3. The Director of Environment and Community Services be given delegated authority in liaison with the Vice Chair of Environment and Community Services Directorate to:

- i. Make final editorial amendments of a technical, factual, nature to ensure the new South Gloucestershire Local Plan Initiation commencement document is up-to-date before publication.
- ii. Complete the supporting evidence base that will support the publication of new South Gloucestershire Local Plan Initiation commencement document, for the purposes of public consultation
- iii. Complete and deliver the public engagement and consultation material needed to support the new South Gloucestershire Local Plan Initiation commencement document in accordance with the Engagement Programme contained at Appendix 3.

#### **Author**

Steve Evans, Director of Environment and Community Services

☎ 01454 865810

#### **Departmental Contact**

Patrick Conroy, Strategic Planning Policy and Specialist Advice Team Manager

☎ 01454 862016/01454 863574

#### **Background Papers**

**South Gloucestershire Council Local Plan Delivery Programme October 2015 – December 2017**

#### **Appendices**

**Appendix 1: Initiation commencement document setting out the proposed scope, priorities and programme for the new South Gloucestershire Local Plan**

**Appendix 2: Update to the timetable for preparing the new Local Plan**

**Appendix 3: Engagement Programme for undertaking public consultation on the new Local Plan Initiation Document.**