

Bolsover District Council

Planning Committee

15th October 2014

Arrangements for Initial Consultation on the new Local Plan

Report of the Joint Assistant Director of Planning and Environmental Health
(Written by Planning Policy Manager)

Purpose of the Report

- To seek approval to undertake public consultation in respect of the form and content of the new Local Plan commencing in October 2014.
- To outline the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement in relation to consultation.
- To advise Members on the subject and format of the proposed consultation exercise.

1 Report Details

Regulatory requirements

- 1.1 As discussed elsewhere on this agenda, Members will have considered the proposed timetable and other contents of the draft Local Development Scheme.
- 1.2 Should that timetable be agreed and adopted by the Council, this will necessitate a statutory and formal consultation exercise to notify interested parties of the Council's decision to commence the preparation of a new single Local Plan to cover Bolsover District.
- 1.3 Critically, this consultation exercise is governed by Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, which requires:

18. (1) A local planning authority must -

- (a) notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and*
- (b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.*

(2) The bodies or persons referred to in paragraph (1) are -

- (a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;*
- (b) such of the general consultation bodies as the local planning authority consider appropriate; and*
- (c) such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations.*

(3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).

1.4 In essence, this means in order to be found legally compliant the Council must:

- notify interested parties what the new Local Plan is intended to contain, for example strategic policies setting out the overall targets for housing and employment, allocations of housing and employment sites, and protective policies over local character; and
- invite them to tell the Council what its Local Plan ought to contain, which could include national organisations commenting on what policy areas should be included, land owners and developers commenting on what sites should be allocated, and members of the public on things they would like to protect or see happen in their local area.

1.5 Alongside this, the Council's Statement of Community Involvement requires the Council to:

- issue a press release to appropriate local newspapers and place an article on the Council's website on the subject of the plan;
- contact people on the Local Plan consultation database either by email or letter seeking views on the new plan, and what topics / issues they think the plan should address;
- make copies of any documents, including key background papers, available on the website and at contact centres and libraries in the district;
- hold open participation meetings / exhibitions to meet planners and discuss issues (the number and locations will depend on the subject of the plan).

1.6 These requirements complement and provide more detail on those put in place by the Regulations.

Subject and format of the proposed consultation exercise

1.7 As set out in the proposed Local Development Scheme, the subject of the Council's new Local Plan will be a single Local Plan covering strategic policies and site allocations for the whole of Bolsover District.

1.8 However, at this stage, the Council has no detailed proposals for what the new Local Plan will contain, such as the housing target, the spatial distribution of development around the District or which sites should be allocated. As required by the Regulations, the subject of the consultation exercise is to invite interested

parties to tell the Council what they think it ought to contain. This means the consultation exercise will be focussed on seeking suggestions on policies and sites, rather than a more structured exercise on prepared consultation documents.

- 1.9 In view of this, the consultation information, such as representation forms and exhibition material, will need to be more limited than that prepared for the later stages of the preparation of the Local Plan Strategy document. To illustrate the amount of information that will be put into the public domain, indicative exhibition material is contained in Appendix A for information.
- 1.10 As referred to in paragraph 1.5, the Council will also need to make key background papers available as part of the exercise. Whilst this consultation exercise marks the beginning of the preparation of a new Local Plan, the Council has amassed a large body of evidence about matters that will affect the planning of development in Bolsover District – often referred to as the Evidence Base or Supporting Documents.
- 1.11 It is important to note that the majority of this Evidence Base remains valuable and will help the Council progress with the preparation of its new Local Plan. Upon commencement of the new Local Plan relevant evidence will be returned to the Council's website. An indicative list of the studies and reports is contained in Appendix B for information.

2 Conclusions and Reasons for Recommendation

- 2.1 Given that the Council's new Local Plan will cover the whole of Bolsover District, based on the above requirements it is proposed that the subject and format of the consultation exercise will involve:
 - holding a 6 week consultation exercise, starting after the adoption of the Local Development Scheme (it is envisaged that consultation will start in the week commencing 20th October 2014);
 - writing to all people on the Local Plan consultation database notifying them of the Council's decision to commence the preparation of a new Local Plan and inviting representations on what the new Local Plan ought to contain;
 - issuing press releases to all newspapers that cover the District advising on this proposed consultation exercise;
 - making consultation material available at all contact centres and libraries in the District;
 - holding four exhibitions during the 6 week consultation exercise: one in Bolsover, one in Clowne, one in Shirebrook and one in South Normanton.
- 2.2 It is proposed that the detailed arrangements for the timing of the consultation exercise and content of the consultation material will be finalised in consultation with the Chair and Vice Chair of the Planning Committee.
- 2.3 The contents of this report were considered by the Local Plan Steering Group (LPSG) at its meeting on the 24th of September 2014, when it was resolved to '***note the detailed issues set out in the report and agree to recommend to Planning Committee:***

- *the subject and format of the proposed consultation exercise as set out in the report; and*
- *that authority be delegated to the Chair and Vice Chair of Planning Committee to determine the detailed dates and arrangements for consultation and the final content of consultation material in consultation with the Joint Assistant Director Planning and Environmental Health'*

3 Consultation and Equality Impact

- 3.1 Other Officers involved in the preparation of this report were: Principal Planner (Policy), Principal Planner, and Assistant Planner.
- 3.2 Members consulted during the preparation of the report: Members of the Local Plan Steering Group.
- 3.3 An Equality Impact Assessment will be required in advance of publishing a new Local Plan.

4 Alternative Options and Reasons for Rejection

- 4.1 Following the decision to commence a new Local Plan, the Council is required to notify interested parties and to invite them to tell the Council what the new Local Plan ought to contain by the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's own Statement of Community Involvement.
- 4.2 The only alternative option would be to not comply with the Regulations and Statement of Community Involvement, which would have the effect of undermining the legal compliance of the Council's new Local Plan at the outset. For this reason, it is considered that this alternative option is not appropriate.

5 Implications

Finance and Risk Implications

- 5.1 Work on the new Local Plan can be funded from existing budgets. It is important that this budget is maintained in future years.

Legal Implications including Data Protection

- 5.2 The Council has a statutory duty to keep under review the matters which may be expected to affect the development of their area. The most efficient and effective way to do this is through the preparation of a Local Plan.

Human Resources Implications

5.3 It is essential that the Planning Policy team has sufficient staffing resources to deliver the Local Plan in a timely manner. The work programmes and timetables reflect this.

6 **Recommendations**

6.1 **That Planning Committee:**

- 1) **Notes the detailed issues set out in the report;**
- 2) **Approves proposals to formally undertake public consultation in line with the subject and format of the proposed consultation exercise as set out in the report; and**
- 3) **Delegates authority to the Chair and Vice Chair of Planning Committee to determine the detailed dates and arrangements for consultation and the final content of consultation material in consultation with the Joint Assistant Director for Planning and Environmental Health.**

7 **Decision Information**

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	Not at this stage, but will lead to one when an option is finalised
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	<p>The Local Plan will set out the vision, key principles and policies that will underpin the sustainable development of the district. It will cover a wide range of economic, environmental and social issues. As such it affects all the following aims:</p> <p>COMMUNITY SAFETY – Ensuring that communities are safe and secure</p> <p>ENVIRONMENT – Promoting and enhancing a clear and sustainable environment</p> <p>REGENERATION – Developing healthy, prosperous and sustainable communities</p>

	<p>SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning.</p> <p>STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.</p> <p>The adoption of a Core Strategy (previous title for part of a Local Plan) is the subject of Corporate Plan Target E03.</p>
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8 Document Information

Appendix No	Title
Appendix A	Indicative Exhibition Material
Appendix B	Indicative List of Retained Evidence Base Documents
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
Report Author	Contact Number
Helen Fairfax	Ext 2299/7168

Report Reference –

Appendix A – Indicative Exhibition Material

Panel 1 – A new Local Plan

The Council has decided to begin preparation of a new Local Plan.

The Council's new Local Plan must be consistent with national planning policies and will need to deliver growth in sustainable locations.

To achieve this, the new Local Plan will set out:

- strategic policies for the provision of homes, jobs, retail, leisure, infrastructure, social and community facilities, climate change mitigation / adaptation and conservation / enhancement of the natural and historic environment;
- the allocation of sites to promote development and flexible use of land, bringing forward new land where necessary;
- the identification of areas or land where limits to development will be required or where development would be inappropriate;
- detailed policies on form, scale, access and quantum of development where appropriate;
- detailed policies providing the criteria against which proposals for development will be determined.

As a result, the new Local Plan will both set out the overall strategy for development in Bolsover District for the next 20 years and also identify the sites where new housing and employment and other forms of development will go.

The new Local Plan is planned to be adopted in 2018 and will cover the period to 2033.

Panel 2 – We are inviting comments on what the new Local Plan ought to contain

The Government set out clear requirements for what Local Plans should contain but also recognise the need for Local Plans to, as far as possible, reflect a collective vision of a local community's aspirations for their local area.

Beyond this, at this starting point the Council has no proposals and is inviting comments from national organisations, local landowners / developers, local businesses and local residents on what they think the Council's new Local Plan ought to contain.

Comments are particularly sought on the following:

- Policy areas - are there any policy areas that you think the Council's new Local Plan ought to contain and what evidence should this be based on?
- Visions for places - if you live or work in one of the District's towns or villages, what would you say the vision for your town or village should be and why?
- Development sites - if you own or wish to develop a site, we want to hear from you and see how suitable your site might be.

All comments and suggested sites will be considered and will inform the Council's identification of its Preferred Options and the Reasonable Alternatives in Autumn 2015.

The consultation exercise started on Monday 20th October 2014 and will run for six weeks until Friday 28th November 2014. The Council must have received your representation by 5pm (17:00) on Friday 28th November 2014 to ensure it is considered.

Appendix B – Indicative List of Retained Evidence Base Documents

Biodiversity and green infrastructure

- 1) Green Infrastructure Study (KBD 10)
- 2) Lowland Derbyshire Biodiversity Action Plan (KBD 11)
- 3) DWT Strategic Plan (RD 14)
- 4) East Derbyshire Greenway Strategy (RD 15)
- 5) Green Infrastructure for EM (RD 21)
- 6) Register of Local Wildlife Sites (RD 36)

Climate change adaptation and flood risk

- 1) Strategic Flood Risk Assessment (KBD 18)

Climate change mitigation and energy

- 1) Renewable Energy and Low Carbon Study (KBD 16)

Community and wellbeing (including equalities and health)

- 1) Bolsover Sustainable Community Strategy (KBD 5)

Economy and employment

- 1) Bolsover Employment Land Study (KBD 2)
- 2) Bolsover Retail Capacity Assessment (KBD 4)
- 3) EM Northern Sub Region Employment Land Review (KBD 7)
- 4) Economic Development Strategy (KBD 8)
- 5) Local Economic Assessment for BDC (RD 28)

Historic environment

- 1) BDC CAA&MPS (RD 6)
- 2) EH Bolsover Castle Conservation Management Plan (RD 18)
- 3) Historic Environment SPD (ADP 3)
- 4) New Bolsover Model Village Planning Guidelines SPG (ADP 4)

Housing

- 1) Strategic Housing Market Assessment (KBD 20)
- 2) Affordable Housing Needs and Viability Study (KBD 1)
- 3) Derbyshire Gypsy and Traveller Acc Assessment (KBD6)
- 4) Strategic Housing Land Availability Study (TR5)
- 5) Housing Needs BME (RD 22)
- 6) Housing Needs Older People (RD 23)
- 7) Housing Needs Younger People (RD 24)

Land and landscape

- 1) Agricultural Land Classification (RD 2)
- 2) The Landscape Character of Derbyshire (RD 26)

Transport

- 1) DCC Local Transport Plan (RD 10)
- 2) M1 J29A Operational Capacity Assessment (RD 29)
- 3) Network Rail EM Route Utilisation Strategy (RD 30)
- 4) N Derbs Highway Model (RD 31)
- 5) N Derbs Transport Study parts 1, 2a & 2b (RD 32-34)
- 6) Sheffield City Region Transport Strategy (RD 38)

Waste

- 1) Derbyshire Waste Management Strategy (RD 9)

Water

- 1) Outline Water Cycle Study (KBD 15)