

REDDITCH BOROUGH COUNCIL

**EXECUTIVE
COMMITTEE**

2nd September 2013

BOROUGH OF REDDITCH LOCAL PLAN NO.4

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|------------------------------|------------------------|
| Relevant Portfolio Holder | Councillor Greg Chance |
| Portfolio Holder Consulted | Yes |
| Relevant Head of Service | Ruth Bamford |
| Ward(s) Affected | All Wards |
| Ward Councillor(s) Consulted | Yes |
| Non-Key Decision | |

1. SUMMARY OF PROPOSALS

This report presents documents associated with the 'Proposed Submission' Borough of Redditch Local Plan No.4 for consultation and recommendations relating to the next stages in the process towards examination of the Local Plan.

2. RECOMMENDATIONS

The Committee is asked to **RECOMMEND** to the Council that

- 1) the Officer responses and actions (Appendix 1) to consultation held on Draft Borough of Redditch Local Plan No.4 be endorsed;
- 2) the Officer responses and actions (Appendix 2) to consultation held on Redditch Housing Growth be endorsed;
- 3) the Proposed Submission Borough of Redditch Local Plan No.4 (Appendix 3) and Sustainability Appraisal (Appendix 4) for representations to be made by statutory bodies and members of the public, commencing 30th September 2013 until 11th November 2013 be approved;
- 4) authority be delegated to the Executive Director of Planning, Regeneration, Regulatory and Housing Services/Head of Planning and Regeneration and the Development Plans Manager following consultation with the Portfolio Holder for Planning and Regeneration to review the representations made following the close of the representations period, and that subject to no significant weaknesses being raised to doubt the soundness of the draft Plan (for tests of soundness see paragraph 3.20 of this report), that the Borough of Redditch Local Plan No.4 be submitted to the Secretary of State for examination in December 2013;
- 5) authority be delegated to the Executive Director of Planning, Regeneration, Regulatory and Housing Services/Head of Planning and Regeneration and the Development Plans Manager following consultation with the Portfolio Holder for Planning and Regeneration to

prepare and submit the necessary documents to support Submission of the Local Plan; and

- 6) authority be delegated to the Executive Director of Planning, Regeneration, Regulatory and Housing Services/Head of Planning and Regeneration and the Development Plans Manager following consultation with the Portfolio Holder for Planning and Regeneration, to undertake such further revisions, technical corrections and editorial changes deemed necessary in preparing the Local Plan for submission to the Secretary of State and to agree subsequent changes where appropriate during the examination.

3. KEY ISSUES

Financial Implications

- 3.1 A budget bid of £30k for 2012/13 and £70k for 2013/14 has been approved to cover the costs of the Independent Examination and appointment of a Programme Officer. The fees for examinations were set under the Town and Country Planning (Costs of Inquiries etc.) (Standard Daily Amount) Regulations 2006 (SI 2006/3227).
- 3.2 Other costs associated with consultation can be met within existing Development Plans budgets.

Legal Implications

- 3.3 The Planning and Compulsory Purchase Act (2004) requires that Local Authorities should publish a plan at this stage in the process, which they think is sound. The published plan should be the one they intend to submit to the Planning Inspectorate. Changes after submission are considered unnecessary and may be disregarded by the Inspector unless there are exceptional reasons to justify them.
- 3.4 Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2012 (as amended) requires 'proposed submission documents' to be prepared and submitted. These will include:
- the Local Plan, which the Local Authority propose to submit to the Secretary of State;
 - the Sustainability Appraisal report of the Local Plan;
 - a Regulation 18 Statement of Consultation;
 - a Regulation 19 Statement of the representations procedure; and
 - such supporting documents relevant to the preparation of the Local Plan.
- 3.5 This regulation also requires the representations period to consist of at least 6 weeks, which is proposed as 30th September to 11th November 2013. These timescales would ensure that the Council's proposed submission date of the

Local Plan can be met, which is set out in the Council's Local Development Scheme (2012) as being November/December 2013.

- 3.6 Following consultation on the Proposed Submission Local Plan, in addition to the Local Plan itself, Regulation 22 of the Town and Country Planning (Local Development) (England) Regulations 2012 (as amended) sets out the documents prescribed for the purpose of Independent Examination of the Plan. These include the Sustainability Appraisal Report, a submission policies map, a Regulation 22 Statement, copies of representations made and such supporting documents relevant to the preparation of the Local Plan.

Service / Operational Implications

- 3.7 Appendix 1 is the outcome of consultation on the Draft Borough of Redditch Local Plan No.4. Consultation on the draft Local Plan No.4 was held between 1st April and 15th May 2013 concurrently with the Redditch Housing Growth consultation. Appendix 1 contains a summary of responses to the draft Local Plan with an Officer's recommended response with any appropriate actions. This has been presented by Policy or, where no policy exists, by issue.
- 3.8 The contents of Appendix 1 have been subject to scrutiny by Planning Advisory Panel since the close of consultation. There are a number of suggested changes to improve the Plan as a result of consultation, but there are few significant changes such as removal of key sites or major changes to policy. Changes of any significance are described in this report below.
- 3.9 The "Places to Live Which Meet our Needs" Key Theme has undergone some amendment. Policy 4 Housing Provision has had minor changes to better reflect Redditch and Stratford on Avon District's delivery of housing along the A435 corridor, however there are no suggested changes to the Borough's housing requirements. Policy 5 Effective and Efficient use of land has been amended to be more flexible and effective so that lower density development is encouraged where development can deliver objectively assessed housing requirements that are required.
- 3.10 The "Creating and Sustaining a Green Environment" Key Theme has had minor amendments to draft policies and there have been no significant changes. The Plan has been improved with the addition of Policy 22 Road Hierarchy.
- 3.11 The "Creating a Borough where Business can Thrive" Key Theme has had some amendments. Policy 23 Employment Land Provision has had some additions such as reference to the Worcestershire Waste Core Strategy and to clarify requirements at the Redditch Eastern Gateway. Policy 26 Office Provision has been amended to include reference to Strategic Sites where office provision is encouraged.

- 3.12 The “Improving the Vitality and Viability of Redditch Town Centre and District Centres” Key Theme has had minor amendments to draft policies and there have been no significant changes.
- 3.13 The “Protecting and Enhancing Redditch’s Historic Environment” Key Theme has undergone some amendments particularly to the newly titled Policy 37 Historic Buildings and Structures and Policy 38 Conservation Areas, to make these policies more locally distinctive. This was done in response to concerns raised by English Heritage.
- 3.14 The “Creating Safe and Attractive Places to Live and Work” Key Theme has had minor amendments to draft policies and there have been no significant changes.
- 3.15 The “Promoting Redditch’s Community Well-being” Key Theme has had some minor amendments to draft policies and there have been no significant changes.
- 3.16 In the “Strategic Sites” section of the Plan, Policy 46 Brockhill East, Policy 47 Land to the Rear of the Alexandra Hospital, Policy 49 Woodrow have had minor amendments to draft policies and there have been no significant changes. Each Strategic Site is now accompanied by an indicative vision map. With regards to Policy 48 Webheath, Officers are aware that the Council refused planning permission on 22nd May 2013 for a proposal on part this Strategic Site set out in the Draft Local Plan No.4. The refusal was based upon the proposal’s additional traffic generation on the local road network coupled with the lack of suitable infrastructure to support the development and the lack of contribution towards the wider highway network infrastructure; however this does not alter the fact that the proposal site and the remainder of the Webheath Strategic Site is capable of sustainable delivery in the short to medium term, subject to necessary infrastructure being delivered. This Strategic Site should therefore continue to feature in the Proposed Submission version of the Borough of Redditch Local Plan No.4.
- 3.17 Appendix 2 is the outcome of consultation on the Redditch Housing Growth consultation. Consultation was held between 1st April and 15th May 2013 concurrently with the Draft Borough of Redditch Local Plan No.4. Appendix 2 contains a summary of responses and an Officer’s recommended response with any appropriate actions. This has been presented by site/area and then by Key Issues within each site/area.
- 3.18 The Proposed Submission Borough of Redditch Local Plan No.4 (Appendix 3) has been prepared to include all of the Officers suggested amendments from consultation. It also includes the revised Redditch Housing Growth Policy reflecting the outcome of that consultation. Additional up to date background documents listed in this report have resulted in minor changes since the draft Local Plan No.4 and the accompanying Policies Map since its last consultation version in April/May 2013.

- 3.19 The Sustainability Appraisal Report (Appendix 4) has been amended to reflect its status as an appraisal accompanying the Proposed Submission Borough of Redditch Local Plan No.4. There are no significant changes proposed since the version of the Sustainability Appraisal for Local Plan No.4 was completed in April/May 2013 however please note the addition of material contained in the previous appraisal of the Redditch Housing Growth consultation.
- 3.20 The next stage in the process of adopting a Local Plan is to publish a Plan for a set period in order for representations to be received. Representations will be invited for respondents to provide some details as to why they consider the Plan to be unsound. The inspector will test soundness against whether the Plan is:
- Positively prepared: the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - Justified: the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - Effective: the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.
- 3.21 In addition to these soundness tests a Planning Inspector will test whether the Plan has been prepared in accordance with the Duty to Cooperate, as well as other legal and procedural requirements.
- 3.22 One of the Recommendations relates to authority being delegated to prepare and submit the necessary documents to support submission of the Local Plan. This will relate to any outstanding evidence base in addition to other documents which are necessary but cannot be completed at this time. These will include documents such as a summary of the main issues raised by the representations, further Statements, or documents requested by the appointed Inspector.
- 3.23 For the actual examination, the Inspector will be assessing the whole Local Plan. The examination must centre on the issues identified by the Inspector, having regard to the requirements of legal compliance and soundness. To identify potential problems at an early stage, it is typical for an exploratory meeting to be arranged. Following this, hearing sessions will occur with the Inspector defining the matters and issues for the hearings. Those seeking changes to the Plan and wishing to be heard will be invited to the relevant hearing and others may be invited to attend.
- 3.24 It should be noted that the Planning Inspectorate indicate that they aim to deliver fact check reports following most typical examinations within 6 months from submission.

- 3.25 At the end of an Examination the Inspector will issue a report to the Council. The report will contain recommendations relating to any changes that need to be made to the Plan, to ensure it is sound, before it can be formally adopted. At this stage the report will be brought to Council.

Customer / Equalities and Diversity Implications

- 3.26 As stated above, it is a requirement that representations are invited in relation to the soundness of the Plan. In order to guide our customers in this process a Representation Form and accompanying Guidance Note has been prepared which all respondents are encouraged to use.

4. RISK MANAGEMENT

- 4.1 Should there be any representations received during the representations consultation, which, in the view of the Head of Service/Director and Development Plans Manager suggest that the soundness of plan may be in doubt, the Portfolio Holder will be consulted about the level of risk. This will be informed by a summary of representations received which will enable the Council to consider what, if any change should be made before submission. At this stage a decision can be made about whether or not the Council are advised to continue to submission.

5. APPENDICES

Appendix 1 - Officer Responses to Local Plan No.4
Appendix 2 - Officer Responses to Redditch Housing Growth
Appendix 3 - Proposed Submission Borough of Redditch Local Plan No.4
Appendix 4 - Sustainability Appraisal Report for the Proposed Submission
Borough of Redditch Local Plan No.4

6. BACKGROUND PAPERS

Regulation 18 Statement of Consultation
Regulation 19 Statement of Representations Procedure
Representation Form and Guidance Note
Strategic Housing Land Availability Assessment (SHLAA) (2013)
Employment Land Review (ELR) (2013)
Five Year Housing Land Supply Document (2013)
Redditch Eastern Gateway Report
Draft Infrastructure Delivery Plan (2013)
Strategic Housing Market Assessment (SHMA) Update (2013)
Local Development Scheme (2012)
Statement of Compliance with the Duty to Cooperate

7. KEY

BDC Bromsgrove District Council
BORLP Borough of Redditch Local Plan
IDP Infrastructure Delivery Plan
NPPF National Planning Policy Framework
RBC Redditch Borough Council
RJ Reasoned Justification
SA Sustainability Appraisal

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