

Dear Councillor

CABINET - WEDNESDAY, 13 DECEMBER 2017

I am now able to enclose for consideration at the above meeting the following reports that were unavailable when the agenda was printed.

**Agenda Item
No.**

**3. LOCAL PLAN: PROPOSED SUBMISSION CONSULTATION
(Pages 3 - 14)**

To consider the Local Development Scheme: December 2017
(Appendix B)

(Executive Councillor: Cllr R Fuller)

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Local Development Scheme for Huntingdonshire

December 2017



Document Information

Further copies of this document can be obtained from:

Planning Services,
Huntingdonshire District Council,
Pathfinder House,
St Mary's Street,
Huntingdon,
PE29 3TN.

Telephone: 01480 388424

e-mail: local.plan@huntingdonshire.gov.uk

It can also be viewed on our web site at: <http://www.huntingdonshire.gov.uk/planning/new-local-plan-to-2036/>

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1 Introduction

- 1.1** The District Council's Local Development Scheme (LDS) sets out the proposed programme for the production of the Huntingdonshire Local Plan to 2036. The programme includes key milestones to inform people about opportunities to be involved in the plan-making process.
- 1.2** This document has been updated in October 2017 following the Council's decision to add an additional opportunity for public consultation on an updated draft Local Plan and its supporting evidence base prior to issuing the proposed submission version. Many stakeholders have been involved on an ongoing basis in the preparation of the Local Plan and its supporting documents. However, this additional engagement opportunity was considered to be beneficial as the draft Local Plan has evolved significantly since the last opportunity for full public engagement. The revised LDS provides an updated timetable for future preparation stages of the Local Plan to 2036 reflecting this change, deferring commencement of the statutory Regulation 19 consultation until the end of 2017.
- 1.3** The LDS has been prepared to reflect the requirements placed on the plan-making process through the Localism Act (2011), the National Planning Policy Framework (2012) and the Local Planning Regulations (2012).
- 1.4** The development plan is the primary basis upon which all planning decisions are made. The development plan will comprise the Local Plan to 2036, Cambridgeshire and Peterborough Minerals and Waste Plans and any Neighbourhood Development Plans covering areas within Huntingdonshire.
- 1.5** The Local Plan to 2036 will provide a comprehensive development plan for the district that will be subject to independent examination. It will include a development strategy, site specific allocations of land, development management policies and a policies map.
- 1.6** The Huntingdonshire Local Plan to 2036 proposed in this LDS will, once adopted, supersede the Core Strategy (2009) and the Huntingdon West Area Action Plan (2011) in their entirety. The Planning and Compulsory Purchase Act (2004) allowed for existing statutory plans to be saved whilst replacement documents were produced. Thus, the Huntingdonshire Local Plan to 2036 will also replace all remaining saved policies from the Huntingdonshire Local Plan (1995) and the Local Plan Alteration (2002). The Secretary of State issued a direction in September 2007 setting out which policies remained saved until appropriately replaced; a list can be found at:
<http://www.huntingdonshire.gov.uk/planning/adopted-development-plans/current-local-plan/>
- 1.7** The Cambridgeshire and Peterborough Minerals and Waste Plan (Core Strategy and Proposals Map C: Mineral Safeguarding Areas 2011 and Site Specific Proposals Plan and Proposals Map A and B 2012) is jointly prepared by Cambridgeshire County Council and Peterborough City Council to guide the development and management of mineral resources and waste materials. Huntingdonshire is not a minerals and waste planning authority so this LDS does not deal with these matters. Reference should be made to the most up to date material published by Cambridgeshire County Council.
- 1.8** Huntingdonshire works within the wider context set by Cambridgeshire, Peterborough, Bedfordshire and Northamptonshire which influences strategic spatial planning, transport, economic, social and environmental issues. Huntingdonshire will continue to work with neighbouring authorities and other statutory partners on common issues of strategic and cross-boundary interest as appropriate.
- 1.9** Under the Localism Act (2011) Parish and Town Councils can prepare Neighbourhood Plans to allocate land for development and provide detailed guidance on specific issues. They must be in general conformity with the strategic policies of the adopted development plan and should have regard to any emerging development plan documents that are relevant. Parish and Town Councils are responsible for deciding when, and if, they wish to produce a neighbourhood plan and what timetable they will work to, so it is not appropriate for the LDS to attempt to specify this. A neighbourhood plan will be subject to independent examination and a local referendum. If approved at the referendum the Council will bring the neighbourhood

1 Introduction

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plan into force such that it is used to assist with determining planning applications within its designated area. Proposals for neighbourhood plan areas will be publicised on Huntingdonshire District Council's website at:

<http://www.huntingdonshire.gov.uk/planning/neighbourhood-planning/>

2 Plan Making Process

- 2.1** The process of preparing and adopting development plans is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 which came into force on 6 April 2012. These Regulations prescribe the form and content of a Local Plan and Policies Map and set out procedural arrangements for preparing Local Plans. They also list the prescribed bodies in relation to the Duty to Co-operate (Regulation 4), the requirements in relation to the Authority Monitoring Report (Regulation 34), and set out how information should be made available for inspection. A summary of the plan making process is set out below.

Public Participation

- 2.2** The Town and Country Planning (Local Planning) (England) Regulations 2012 encourage extensive early public participation in the preparation of the Local Plan. The statutory Duty to Co-operate has formalised previous working arrangements between councils, statutory agencies and a range of transport authorities to ensure partners are fully engaged in the plan preparation process. Community involvement is also a key component in shaping the content of development plan documents. This may be an iterative process involving several major rounds of engagement in addition to ongoing discussions with interested parties and is carried out in the context set by Regulation 18. The scale and nature of community involvement will vary according to the stage of document production. Public participation will be guided by the Council's Statement of Community Involvement.

Publication and Submission

- 2.3** On completion of the public participation stages the Council will prepare the document for formal publication (generally referred to as proposed submission). Once published there is a period for representations on issues of soundness and legal compliance. This comprises a period of at least six weeks in the context of Regulation 19.
- 2.4** Following consideration of all representations received the Council can propose limited, minor amendments to the published document at this stage. It is then formally submitted under Regulation 22 to the Secretary of State and the Planning Inspectorate for examination into its soundness. The submission Local Plan is accompanied by a schedule of any changes proposed, the representations received at publication stage and a summary of the main issues arising from those representations along with its sustainability appraisal, habitats regulations assessment, statement of consultation and a wide range of supporting evidence documents.

Sustainability Appraisals and Strategic Environmental Assessment

- 2.5** To assess the potential impact of the Local Plan it must be subjected to thorough sustainability appraisal. In order to fully comply with the European SEA Directive and the UK SEA Regulations and to provide a robust evidence base the Council will adopt an integrated approach towards meeting the requirements for both sustainability appraisal and strategic environmental assessment of the Local Plan. The appraisals are a systematic, iterative process, integrated into each phase of document production to try to ensure that the Local Plan proposes the most sustainable pattern of future development possible. Their purpose is to assess the extent to which emerging policies and proposals will help achieve relevant environmental, social and economic objectives.
- 2.6** Neighbourhood Plans may be required to undertake strategic environmental assessment depending on the potential impact of the plan's proposals. Huntingdonshire District Council will provide guidance to parish and town councils in fulfilling these requirements if required.

2 Plan Making Process

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Habitats Regulations Assessment

- 2.7 Amendments were introduced in the UK Conservation (Habitats & etc) Regulations 1994 in September 2006. These result in Appropriate Assessment under Article 6(3) and (4) of the Habitats Directive 92/43/EEC being required for all plans likely to have a significant effect on a European site. Habitats Regulations Assessments, including Appropriate Assessment as necessary, will be undertaken prior to formal publication of the Local Plan.

Examination

- 2.8 Once the Local Plan, its sustainability appraisal and all other supporting documentation have been submitted to the Secretary of State it must be examined by an independent Inspector before the Council. The Inspector is charged with examining whether the document complies with legislation, whether the duty to co-operate has been properly met and whether the proposed plan is sound. The programme for the examination in public is determined by the Inspector following consideration of the representations received. The Inspector invites participants to present evidence at public hearings (discussion sessions) as well as considering written representations.
- 2.9 Development plan documents must be prepared within the context of national policy. They should be in accordance with this unless strong local evidence indicates that variation from this would provide better outcomes in the specific local context of Huntingdonshire.
- 2.10 To examine whether the submitted document is legally compliant the Inspector will check that it:
- has been prepared in accordance with the Local Development Scheme and in compliance with the Statement of Community Involvement and the Regulations;
 - has been subject to sustainability appraisal and strategic environmental assessment;
 - has demonstrated co-operation with statutory bodies;
 - has regard to national policy
- 2.11 The Inspector will also assess whether the plan has been prepared in accordance with the duty to co-operate and whether it is sound. A local planning authority should only submit a plan for examination which it considers to be 'sound' – namely that it 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 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 National Planning Policy Framework.
- 2.12 The Inspector determines the timetable for examination and may suspend it for further work or consultation to be carried out if s/he considers this to be necessary.
- 2.13 Once the examination is concluded the Inspector issues a formal report setting out her/his conclusions and any modifications to the plan which are necessary. Subject to a satisfactory conclusion that the plan's preparation has met the duty to co-operate, that all appropriate law has been complied with and the plan's contents can be found sound subject to any modifications recommended then the plan may be formally adopted by the Council and brought into use as part of the development plan.

3 Production Programme

3.1 The Council is preparing a comprehensive Huntingdonshire Local Plan to 2036 and associated Policies Map. Extensive consultation has already been carried out, starting in 2012, to aid its preparation reflecting the high priority accorded to public engagement in the process. The Local Plan to 2036 will:

- Support the growth agenda and economic strategies produced by the Cambridgeshire Combined Authority, the GCGP LEP and the Council
- Give confidence to investors and help leverage funding for infrastructure necessary to deliver the development strategy
- Be informed by a robust and up to date evidence base including an objective assessment of housing and employment needs
- Include policies to meet the requirements of the NPPF and NPPG
- Include a development strategy and site allocations for a range of development to meet identified needs up to 2036
- Be informed by a Gypsy and Traveller Accommodation Needs Assessment
- Include detailed development management policies to shape growth in accordance with local priorities

3.2 The Policies Map (formerly known as the proposals map) will be revised alongside the Local Plan to provide a geographical illustration of the application of the policies of the Local Plan. This will be prepared alongside the Local Plan timetable shown below.

Local Plan to 2036: preparation timetable	
Lead section	Planning Policy Team, Development Service
Scope	District-wide
Conformity	With the National Planning Policy Framework
Role and subject	To provide a comprehensive development strategy up to 2036 for the whole district to replace the Core Strategy 2009. To allocate development sites to meet identified needs and set out detailed development management policies to replace the saved policies of the Huntingdonshire Local Plan 1995 and Alteration 2002 and to replace the Huntingdon West Area Action Plan 2011.

Timetable: Key stages - completed	
Sustainability appraisal scoping report	February - March 2012
Issues and options consultation	May - June 2012
Strategy and Policy consultation	August - November 2012
Full draft Local Plan (stage 3) consultation	May - July 2013
Additional sites consultation	November - December 2013
(Long Term Transport Strategy preparation led by Cambridgeshire County Council)	May - November 2014
Huntingdonshire Local Plan to 2036: Targeted Consultation 2015	January - March 2015

3 Production Programme

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Timetable: Key stages - completed	
Updating of evidence base – including Housing and Employment Land Availability Assessment, Strategic Flood Risk Assessment and Gypsy and Traveller Accommodation Needs Assessment	August 2015 - April 2017
Strategic Transport Study in collaboration with Cambridgeshire County Council	January 2016 - April 2017
Full public consultation on Huntingdonshire Local Plan to 2036: Consultation Draft 2017	July - August 2017
Additional sites HELAA consultation	October - November 2017
Finalisation of evidence base - including Objectively Assessed Housing Need, Strategic Transport Study, Viability Assessment, Infrastructure Delivery Plan, Sustainability Appraisal and Habitats Regulations Assessment	September - November 2017

Timetable: Key stages – to be completed	
Statutory consultation on proposed submission Local Plan to 2036 (Reg. 19)	December 2017 - January 2018
Submission to Secretary of State (Reg. 22)	March 2018
Estimated examination ⁽¹⁾	March 2018 - June 2019
Receipt of Inspector's report	July 2019
Estimated date for adoption	September 2019

- Once the Local Plan to 2036 is submitted for examination the timetable is managed by the Planning Inspector appointed to examine it.
- 3.3** The organisational lead will be taken by the Head of Development and the Executive Member for Growth. The Local Plan will be considered by the Development Plans Policy Advisory Group, Overview and Scrutiny Panel (Economy and Growth) and Cabinet throughout its preparation. It will be approved by Full Council prior to proposed submission (Regulation 19). Local Plan implementation (once adopted) will be reviewed regularly and reported through ongoing monitoring reports.

4 Resources, Monitoring and Review

- 4.1** The Council's Planning Policy team will take the lead in preparing the Local Plan to 2036, as well as any supporting supplementary planning documents and annual monitoring reports. Specialist skills available elsewhere in the Council will also be involved where relevant, in particular involving Development Management, Environment, Economic Development and Housing Strategy.
- 4.2** Advice will also be sought from Cambridgeshire Joint Strategic Planning Unit and Cambridgeshire County Council in relation to socio-economic research, transportation, countryside, biodiversity and archaeology. Expertise and information is also sought where relevant from other partners such as the Environment Agency or consultants may be employed to conduct specialist research. The budget for Planning Policy makes allowance for anticipated costs of development plan production and limited funding for specialist consultancy work. Examination costs are predominantly determined by the Planning Inspectorate and will depend on the scale and complexity of issues to be examined. The Local Development Scheme will be monitored on an ongoing basis and regular updates provided on the Council's website.
- 4.3** Preparation and progress with examination of the Local Plan will continue to be reported through the Annual Monitoring Report which will consider progress against the key dates set out in this document. This is published in late December each year. Regular monitoring of the effectiveness of development plan policies will also be undertaken and published on the Council's website.

Appendix 1: Terminology

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Appendix 1: Terminology

Adoption

The point at which the final agreed version of a document comes into use.

(Annual) Monitoring Report (AMR)

Document produced at least annually to report on progress in Local Plan production and implementation of policies.

Development Plan

The documents which together provide the main point of reference when considering planning proposals. These will include the Local Plan to 2036, Minerals and Waste DPDs produced by Cambridgeshire County Council and Peterborough City Council and Neighbourhood Plans covering land within Huntingdonshire.

Development Plan Document (DPD)

A document containing local planning policies or proposals which forms part of the Development Plan, and which has been subject to independent examination. NB: the term will be phased out, largely being replaced by Local Plan.

Examination

Independent inquiry into the soundness of a draft Local Plan chaired by an Inspector appointed by the Secretary of State.

Local Development Scheme (LDS)

Sets out the Council's programme for preparing and reviewing statutory planning documents.

Local Plan

The document containing local planning policies and proposals for Huntingdonshire.

Policies Map

A map that shows the spatial extent of adopted planning policies and proposals affecting Huntingdonshire (formerly known as the proposals map).

Publication

Point at which a draft Local Plan is issued for consultation prior to its submission to the Secretary of State for examination.

Saved policies

Adopted policies which remain in force pending their replacement by the Local Plan.

Scoping Report

Report produced as the first stage of Sustainability Appraisal. It examines existing environmental, social and economic conditions in the district, and identifies appropriate objectives to appraise policies against.

Statement of Community Involvement (SCI)

Document setting out the Council's approach to involving the community in preparing planning documents and making significant development management decisions.

Strategic Environmental Assessment (SEA)

Process undertaken during plan production, to assess the potential environmental effects of emerging policies and proposals. It is incorporated within Sustainability Appraisal.

Submission

Following the publication and ensuing consultation the point at which a draft Local Plan is submitted to the Secretary of State along with representations received for examination.

Supplementary Planning Guidance/ Document

Provides additional guidance on the interpretation or application of adopted policies and proposals.

Sustainability Appraisal

Process undertaken during plan production, to assess the extent to which emerging policies and proposals will help to achieve environmental, social and economic objectives. It incorporates Strategic Environmental Assessment.