

# Member Report

## Redcar & Cleveland Local Plan – Examination Update



### Public

|                   |                              |                                |                 |
|-------------------|------------------------------|--------------------------------|-----------------|
| <b>To:</b>        | Regulatory Committee         | <b>Date:</b>                   | 18 April 2018   |
| <b>From:</b>      | Director for Economic Growth | <b>Decision type:</b>          | For information |
| <b>Portfolio:</b> | Economic Growth              | <b>Forward Plan reference:</b> |                 |
| <b>Priority:</b>  | Prosperity for all           |                                |                 |
| <b>Ward(s):</b>   | All                          |                                |                 |

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#### 1 What is the purpose of this report?

- 1.1 This report updates Regulatory Committee regarding the Local Plan Examination. Specifically, it relates to the receipt of the Inspector's Report in to the Examination of the Redcar & Cleveland Local Plan.

#### 2 What is the background to this report?

- 2.1 The Publication Local Plan (November 2016) was submitted to the Secretary of State for its Examination on 18 April 2017. Examination hearings were held between 5 September and 6 October.
- 2.2 Through the examination process, it is the role of the Inspector to test whether the Plan complies with all of the legal requirements (such as consulting on the Plan and working with key bodies through the Duty to Cooperate) and whether the Plan is 'Sound' ie :
- It has been positively prepared and meets objectively assessed development and infrastructure requirements);
  - It is justified providing the most appropriate strategy, when considered against the reasonable alternatives and informed by evidence;
  - It is effective in that the policies and proposals can be delivered; and
  - It is consistent with national policy.
- 2.3 When the Plan was formally submitted, the Council formally requested that the Inspector recommends to the Council any changes he considers necessary for him to be able to find the draft Plan sound. To assist the Inspector, the Council submitted a schedule of suggested changes alongside the Plan in April 2017. This schedule was amended and added to as the examination progressed and the full schedule of Main Modifications was published for consultation between 20 November 2017 and 10 January 2018.

Summary of the Inspector's Report and Recommended Main Modifications  
Proposed for the Local Plan

- 2.4 The Inspector's Final Report was received by the Council on 23 March 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, was published on the Council's website at [www.redcar-cleveland.gov.uk/local](http://www.redcar-cleveland.gov.uk/local) and notification of the published report has been sent to everyone on the Local Plan consultation database.
- 2.5 The conclusion of the report is that the Redcar & Cleveland Local Plan meets the criteria for soundness in the National Planning Policy Framework and 'provides an appropriate basis for the planning of the Borough' providing the recommended modifications are made to the Plan. The modifications recommended by the Inspector are largely those that were subject to consultation following the examination.
- 2.6 In particular, the Inspector has found that the Plan's strategy for housing growth is appropriate and that the Plan identifies a sound assessment of housing need and appropriate provision to ensure that the housing requirement (234 dwellings per annum) will be met in full.
- 2.7 In total, there are some 129 Main Modifications to both the Plan's policies, proposals and the supporting text. These largely ensure policies are more consistent with National Planning Policy (the NPPF) and provide greater clarity for when they are implemented through the development management process. Some key aspects of the proposed Main Modifications to highlight are as follows:
- To make it clearer that there is an approximate 60% / 40% split between the amount of development that could take place between the Urban/Coastal Sub-Areas and the Rural Sub-Area (Policy S2);
  - The requirement to introduce tightly drawn settlement limits to the villages of Dunsdale, Liverton, Moorsholm, Newton-under-Roseberry and Upleatham (Policy SD3);
  - Introducing closer links to the newly established South Tees Development Corporation, clarifying how proposals for employment beyond those identified sites would be determined and the circumstances where employment sites might be released to non-employment uses (Policy ED6);
  - Confirming the 'contingency' measures to be used to ensure the Plan's housing requirement is met and 5 year housing land supply is maintained (Policy H1);
  - The deletion of the housing allocations at Wykeham Close, Redcar (H3.13) and Roseberry Road, Redcar (H3.15) for a total of 45 dwellings to reflect that neither site is now available for residential development (Policy H3);
  - Providing greater clarity as to the role and function of Strategic Gaps and Green Wedges and introducing criterion to determine how proposals within these designations would be determined (Policy N2);
  - Confirming how certain developments within 6 km of the Teesmouth and Cleveland SPA should mitigate for any potential recreational disturbance on the SPA (Policy N4);
  - A fully revised policy considering the impacts of new development and

transport (Policy T1).

### Next Steps

- 2.8 Following receipt of the Inspector's Report, a fully revised version of the Local Plan has been prepared in order to incorporate all additional and Main Modifications and changes to the Policies Map. The revised Plan will be presented to Cabinet and Full Council in May 2018, with a recommendation that the Redcar & Cleveland Local Plan be adopted.

### **3 Who will this benefit and how?**

- 3.1 Planning is critical for ensuring that development is managed in the most appropriate and sustainable manner. The Local Plan enables the Authority (as the statutory local planning authority) to make decisions on planning applications against locally determined policies, and retain control over the development taking place in the Borough. It is, therefore, important that the Borough's Local Plan is up to date and appropriate for delivering the Authority's priorities.
- 3.2 The preparation of the Local Plan ensures that the Authority is planning appropriately in order to meet the Borough's needs, whilst at the same time satisfying national policy and legislation. It will therefore be of benefit to residents, developers, businesses and any other stakeholders who have an interest in the planning and development of the Borough.

### **4 Who have we consulted?**

- 4.1 Consultation is a mandatory part of the plan making process. As part of the Examination process, the Authority prepared a formal "Regulation 22 Consultation Statement" which set out in full what and how consultation was undertaken and specifically how this has influenced the Local Plan's content.
- 4.2 As detailed at paragraphs 2.4 to 2.9 of this report, there have been 6 rounds of consultation which can be summarised as follows:

| <b>Consultation Stage</b>  | <b>Document Stage</b>                                  | <b>Consultation period</b> |
|--|--|----------------------------|
| Early Engagement (Regulation 18)   | Local Plan Scoping Report                              | Nov – Dec 2012             |
| Pre-Publication (Regulation 20)  | Draft Local Plan                                       | Oct – Dec 2013             |
| Publication Local Plan rejected by Borough Council prior to Consultation |  |                            |
| Early Engagement (Regulation 18)   | Local Plan Scoping Report                              | July to Aug 2015           |
| Pre-Publication (Regulation 20)  | Draft Local Plan                                       | June – Aug 2016            |
| Publication (Regulation 20)  | Local Plan Publication Draft                           | Nov 2016 – Jan 2017        |
| Main Modifications (Regulation 20)                                       | Main Modifications to the Local Plan Publication Draft | Dec 2017 – Jan 2017        |

- 4.3 The Authority has developed a comprehensive consultation database which includes residents, resident associations, elected representatives, community and voluntary groups, developers and businesses, infrastructure providers, government agencies and other prescribed bodies (as detailed in Regulation 6 of The Town and Country Planning (Local Planning) (England) Regulations 2012). The database has grown significantly as the Plan has evolved and now contains some 2,700 separate contacts.

- 4.4 Prior to the commencement of any consultation activity, all contacts were notified of the impending consultations detailing the nature of the consultation; its duration; and where and how they can find out more information and respond.
- 4.5 Throughout the Local Plan's preparation, the Authority made extensive efforts to engage with relevant agencies and the local community in the formulation and refinement of the policies and proposals in the Plan. At each stage, the Authority adhered to the standards for consultation set out within its adopted Statement of Community Involvement (SCI) as well as those set by legislation and guidance.
- 4.6 Throughout each engagement period, the Council has consistently sought to implement a range of methods including :
- Its dedicated electronic consultation portal which enables participants to submit comments electronically and view a 'live' version of Plan and all supporting evidence;
  - All documents were made available at Council premises and libraries;
  - Making use of the Council's resident's magazine - 'this is Redcar & Cleveland';
  - Using social media, and the local press to give advanced notifications and information of forthcoming coming consultations ;
  - Staffed exhibitions and drop in events;
  - Upon direct request, attending specific meetings with interest groups and/or local organisations.
- 4.7 At the close of each consultation, formal reports of the consultation activity were prepared. This included the preparation of schedules of those comments received together with the Authority's response to each.
- 4.8 The Localism Act 2011 places a requirement on the Authority, as a local planning authority, to engage constructively, actively and on an on-going basis with a range of organisations, including neighbouring planning authorities and infrastructure providers. Throughout the plan making process the Authority has worked closely with the Duty to Cooperate bodies to satisfy this statutory obligation. A 'Duty to Cooperate Statement' was published and tested during the Examination. This sets out in detail the constructive and ongoing cooperation that has and continues to be undertaken with these organisations.
- 4.9 Consultations have also been carried out with the Cabinet Member for Economic Growth, the Local Plan Steering Group, Regulatory Committee and Cabinet.

## **5 How will it deliver our priorities and improve our performance?**

- 5.1 The Local Plan will support the delivery of the Corporate Plan outcomes to 'grow our economy and create more jobs', 'develop great places to live' and 'improve quality of life'. It will also contribute to and support the delivery of the Regeneration Masterplan and the Economic Growth Strategy.
- 5.2 Once adopted, the Local Plan will provide an up to date planning framework that will be used as the basis for making decisions on planning applications. This will allow the Authority to retain control of what development takes place and where, whilst ensuring that local needs are met. This should, in turn, allow for good quality decision making and result in fewer decisions being overturned through the appeals process.

## 6 What are the risks and resource implications?

| Type of Risk/ Implication | Applicable? | Details  |
|---------------------------|-------------|--|
| Health and Safety         | No          |  |
| Social Value:             | Yes         | Promoting sustainable development as it is known in planning terms is a statutory requirement of any development planning document. The policies and proposals of the Local Plan have been the subject of formal Sustainability Appraisal and Appropriate Assessment which were tested through the Examination. A Sustainability Appraisal Adoption Statement, has now been prepared in accordance with The Environmental Assessment of Plans and Programmes Regulations 2004.   |
| Legal                     | Yes         | The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and associated Regulations require the Authority to keep under review matters affecting planning and development, and to make any necessary changes to Local Development Documents.  |
| Financial                 | No          | This report updates Members on the final stages in adoption of the Local Plan. There are no direct implications from this report.  |
| Human Resources           | No          |  |
| Equality and Diversity    | Yes         | <p>There are no direct implications arising from this report.</p> <p>The Local Plan must be prepared in accordance with the Planning and Compulsory Purchase Act 2004. As such, it must be subject to sustainability appraisal, which considers the impact it will have on, amongst other things, equality and diversity. In addition, all consultation associated with the Local Plan will be undertaken in accordance with the Authority's adopted Statement of Community Involvement. This has helped to ensure the Authority has appropriately involved all of its communities in the preparation of our planning policies.</p> <p>Furthermore, the policies and proposals of the Local Plan have been subject to separate Equality Impact Assessment that was submitted to and tested during the Examination.</p> |
| Carbon Footprint          | No          |  |

|                              |    |  |
|------------------------------|----|--|
| Other<br>(please<br>specify) | No |  |
|------------------------------|----|--|

## **7 What options have been considered?**

7.1 This report provides an update on the Local Plan Examination and is for information only. No other options are available.

## **8 What is the reason for the recommended option?**

8.1 This report provides an update on the Local Plan Examination and is for information only. No other options are available.

## **9 Recommendations**

9.1 It is recommended that Regulatory Committee:

- Note the report.

## **10 Background papers**

10.1 All background papers relating to this Report can be found directly from the Local Plan's dedicated webpage <http://www.redcar-cleveland.gov.uk/localplan> .

## **11 Contact officer**

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