Waveney District Council

11

COUNCIL

Wednesday, 20 March 2019

ADOPTION OF THE WAVENEY LOCAL PLAN (REP1972)

EXECUTIVE SUMMARY

1. The Local Plan sets out the level of growth which needs to be planned in Waveney and identifies where that growth should be located and how it should be delivered. The Plan sets out the planning policies which the Council will use to determine planning applications in its area.

2. The Council received the Inspector's Report on the Local Plan on the 1st March 2019. The Inspector concluded that the plan is legally compliant and sound subject to a number of modifications which he has recommended.

3. This report recommends that Council adopts the Local Plan as modified (Appendix A).

Is the report Open or Exempt?	Open
Wards Affected:	All Wards in the District

Cabinet Member:	Councillor David Ritchie Cabinet Member for Planning & Coastal Management

Supporting Officer:	Samuel Hubbard Principal Planner 01502 523079 Sam.Hubbard@eastsuffolk.gov.uk

1 INTRODUCTION

1.1 The Local Plan sets out the level of growth which needs to be planned for in Waveney and identifies where that growth should be located and how it should be delivered. The Plan sets out the planning policies which the Council will use to determine planning applications in its area.

1.2 The existing Local Plan, known as the Local Development Framework is made up of a number of documents including:

- Core Strategy (Adopted 2009);
- Site Allocations Document (Adopted 2011);
- Development Management Policies (Adopted 2011); and
- Lowestoft Lake Lothing and Outer Harbour Area Action Plan (Adopted 2012).

1.3 The Government requires Local Plans to be kept up to date and reviewed at least every five years. There have also been a significant number of changes in National Planning Legislation and Policy since the last Local Plan was prepared. One of these changes is the revocation of the regional level of planning and the requirement for Councils to identify their own objectively assessed needs for development in their Local Plans.

1.4 Given the above issues, in March 2016 Cabinet agreed a new Local Development Scheme setting out a timetable for the preparation of a new Local Plan for Waveney.

1.5 In April 2016 the Council published a consultation on the 'Options for the new Waveney Local Plan' which marked the first stage of consultation on the new Local Plan. In total 525 individuals and organisations responded to the consultation. Between them they made 3,428 comments. 2,210 of these comments were made on the questions in the consultation document. The other 1,218 comments were made on the potential sites for development which were also part of the consultation.

1.6 In July 2017, the Council's Cabinet authorised consultation on a First Draft Local Plan which set out a preferred approach to development across the District. An 8 week consultation took place between 28 July and 22 September 2017. In total 683 individuals and organisations responded to the consultation. Between them they made 1,947 comments. 1,713 of these comments were made on First Draft Local Plan consultation document. The other 234 comments were made on the alternative sites considered that were also part of the consultation.

1.7 On the 21st March 2018 Full Council agreed to publish the Final Draft Local Plan under Regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012. The Regulation 19 stage was a formal stage where stakeholders and members of the public got a final chance to make representations on whether they supported the plan or not. The Final Draft Local Plan was published on the 29th March 2018 and representations were invited on the document for a period of 8 weeks to the 24th May 2018. In total, 188 individuals and organisations responded to the consultation, making 950 representations.

1.8 Full Council, on the 21st March 2018, also gave delegated authority to the Head of Planning in consultation with the Cabinet Member for Planning and Coastal Management to submit the plan to the Secretary of State for examination. The plan was submitted on the 22nd June 2018. Planning Inspector Malcolm Rivett BA (Hons) MSc MRTPI was appointed by the Secretary of State to examine the Local Plan. Public hearings took place between 9th October 2018 and 2nd November 2018.

1.9 On 21st November 2018 the Inspector wrote to the Council to state that following the hearings he had concluded that the plan was likely to be capable of being found sound subject to a number of 'Main Modifications' being made. He then invited the Council to prepare precise wording for the modifications and organise a consultation on them. At this time the Council compiled a list of 'Additional Modifications' to make to the plan. The modifications do not materially alter the policies of the plan and are generally minor clarifications, consequential amendments associated with the Main Modifications and corrections of factual errors in the supporting text of the plan. A number of changes to the policies map were also identified. A public consultation on all of the proposed modifications took place between 3rd December 2018 and the 28th January 2019. 140 comments were received on the modifications from 53 respondents. The consultation material can be read at: http://consult.waveney.gov.uk/consult.ti/waveneyLPmainmodifications2018/consultationHome.

1.10 Following consideration of the responses to this consultation the Inspector published his final report on the Local Plan examination on 1st March 2019. The Inspector concluded that the Local Plan was sound subject to Main Modifications being made to the plan prior to adoption.

2 THE INSPECTOR'S REPORT AND MAIN MODIFICATIONS

2.1 The Inspector's Report was received on the 1st March 2019 and is included as Appendix C to this report. The Inspector concluded that the plan was legally compliant and sound subject to making 'Main Modifications' to it prior to adoption. The report is attached as Appendix C to this report. The 'Main Modifications' required are listed in the appendix to the Inspector's Report and are summarised below:

- Deleting Policy WLP1.2 (Presumption in Favour of Sustainable Development) to avoid any inconsistency with national policy. As this is covered in the National Planning Policy Framework the modification has little effect in practice;
- Making clear that the number of dwellings identified in each of the housing site allocation policies are approximate numbers;
- Making clear in Policy WLP1.1 that any past shortfall in the delivery of housing will be addressed over the remainder of the plan period;
- Clarifying in Policy WLP3.1 the role of the outline masterplan and the Beccles and Worlingham Garden Neighbourhood Masterplan Report , requiring ongoing engagement with the community in developing a detailed masterplan, allowing access to employment land from Ellough Road and deletion of specific locational requirements of the country park (the policy will still require the location to be based on that shown in the outline masterplan) ;
- Ensuring that relevant infrastructure requirements are included in the site allocation policies; and
- A range of other alterations to the plan's policies and supporting text in order to ensure that the plan is positively-prepared, justified, effective and consistent with national policy.

3 ADOPTION

3.1 Section 23 of the Planning and Compulsory Purchase Act states that if a Planning Inspector finds a Local Plan sound subject to 'Main Modifications', a local planning authority may adopt that Local Plan with the 'Main Modifications' and any 'Additional

Modifications'. 'Main Modifications' are modifications which the Inspector concludes are necessary for the plan to be sound. The Council is not permitted to adopt the Local Plan without making these modifications. 'Additional Modifications' are modifications which do not materially affect the policies of the plan (as modified by Main Modifications). As such 'Additional Modifications' are limited to minor clarifications, consequential amendments associated with the 'Main Modifications' and corrections of factual errors in the supporting text of the plan.

3.2 The final version of the Local Plan incorporating all modifications is attached as Appendix A of this report.

3.3 This report recommends that the Council as local planning authority adopts the Local Plan as presented in Appendix A.

3.4 The adoption of the plan will supersede all policies in the existing Local Plan.

3.5 The new Local Plan once adopted will remain in effect until such time it is superseded by a new Local Plan prepared by the new East Suffolk Council. Given that the new East Suffolk Council will be in place in under two weeks , the Local Plan in Appendix A does not have a designed front cover. A front cover will be prepared with East Suffolk branding and the Local Plan will be published immediately following the creation of the Council. The design of the front cover will be aligned with a front cover for the emerging Suffolk Coastal Local Plan to ensure consistency of approach.

3.6 Following adoption of the Local Plan, a person aggrieved by the Local Plan, may under Section 113 of the Planning and Compulsory Purchase Act 2004, make an application to the High Court to challenge it. Such an application must be made within six weeks of adoption.

4 HOW DOES THIS RELATE TO EAST SUFFOLK BUSINESS PLAN?

4.1 Having an up to date Local Plan for the District is fundamental to the delivery of the vision and significantly improving the economic, social and environmental well-being of the area.

4.2 Enabling -The strategic policies in the Local Plan, when adopted, will provide the framework for enabling Parish and Town Councils and neighbourhood forums to develop their own Neighbourhood Plans. Continuous engagement through the Local Plan making process with Parish and Town Councils and the local community will enable their aspirations to be reflected in District Council strategy and policy making.

4.3 Economic Growth – The Local Plan allocates land for development and identifies the infrastructure required to deliver economic and housing growth.

4.4 Financial Self Sufficiency - Income to the Council will be generated through new development and inward investment, via the community infrastructure levy, new homes bonus and business rate retention.

4.5 The Local Plan will be significant in delivering most of the Critical Success Factors and particularly those relating to planning, housing, leisure, economic development and tourism, community health, green environment and communities.

4.6 Many of the planned actions for East Suffolk and specifically Waveney form a part of the Local Plan and give them statutory weight in decision making and when bidding for funding.

5 FINANCIAL AND GOVERNANCE IMPLICATIONS

5.1 The cost of undertaking the procedures relating to adoption is covered within the Planning Policy and Delivery Team Budget. The adoption of an up to date plan will help facilitate growth which in turn will lead to economic benefits to the District and increased New Homes Bonus and Community Infrastructure Levy receipts.

5.2 The Local Plan will be principally implemented through the Development Management Process. Its effect will be continually monitored and reported on annually through the production of the Authority's Monitoring Report.

5.3 The Local Plan will also provide a framework to guide other Council activities such as regeneration and housing and will play an important role in framing future funding bids. The Local Plan also provides a strategic policy framework which will guide Neighbourhood Plans.

6 OTHER KEY ISSUES

6.1 Sustainability Appraisal is an integral part of the plan making process and this has been undertaken during the preparation of the Local Plan. To inform and support the Local Plan a Sustainability Appraisal Report has been prepared to demonstrate how sustainability, including the consideration of alternative strategy, site and policy options, have informed the document and the policies within it.

6.2 The Local Plan has also been subject to a Habitat Regulations Assessment. This assesses the likely impacts on European protected sites. The assessment concludes that effects arising from the plan can be mitigated.

6.3 An Equality Impact Assessment has also been undertaken. The assessment has not identified any issues.

6.4 The Local Plan has been informed by a large number of supporting documents which help justify the strategy, policies and sites within the Local Plan.

6.5 All documents are available on the Council's website.

7 OTHER OPTIONS CONSIDERED

Do not adopt the Local Plan as modified

7.1 Not adopting the Local Plan would increase the risk of poorly planned development taking place and an increased risk of planning appeals for developments not in accordance with the existing Local Plan.

8 REASON FOR RECOMMENDATIONS

To ensure the Council has an up to date Local Plan which will make sure that future growth is plan-led and delivered in a sustainable way.

RECOMMENDATIONS

1. That the Waveney Local Plan (Appendix A to this report) be adopted.
2. That the Policies Map be updated as shown in Appendix B, and necessary adoption statements are published and made available in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

APPENDICES	
Appendix A	Waveney Local Plan (as modified) Please note that due to the size of this document, these are not attached but are available on the website with the agenda papers. Hard copies are also available to view in the Members Room and upon request.
Appendix B	Updated Policies Map Please note that due to the size of this document, these are not attached but are available on the website with the agenda papers. Hard copies are also available to view in the Members Room and upon request.
Appendix C	Inspector's Report Please note that due to the size of this document, these are not attached but are available on the website with the agenda papers. Hard copies are also available to view in the Members Room and upon request.

BACKGROUND PAPERS		
Date	**Type**	**Available From**
March 2018	Equality Impact Assessment	Local Plan pages on Council webpage and from Planning Policy & Delivery Team
Various	Local Plan supporting evidence	Local Plan pages on Council webpage and from Planning Policy & Delivery Team