BABERGH DISTRICT COUNCIL

TO:	**Babergh Council**	**REPORT NUMBER:**	**BC/19/7**
FROM:	**Cabinet Member for Planning**	**DATE OF MEETING:**	**25 June 2019**
OFFICER:	**Robert Hobbs – Corporate Manager – Strategic Planning**	**KEY DECISION REF NO.**	**CNL19**

BABERGH AND MID SUFFOLK DRAFT JOINT LOCAL PLAN: PREFERRED OPTIONS

1. PURPOSE OF REPORT

1.1 To approve the Babergh and Mid Suffolk Draft Joint Local Plan: Preferred Options Document for consultation (June 2019).

1.2 There are a number of strategic issues that will affect the Councils over coming years including the health of the economy, protection of the environment and relationships with communities. These are significant issues that will involve a range of interventions from across government, the private sector, the voluntary and community sector and wider civic society. One of the ways District Councils play their part is through responsibility for local and strategic Planning.

1.3 Ultimately, the Joint Local Plan will provide a set of policies used to inform decisions on planning applications and appeals. But it is also so much more. The plan will play an important role in shaping our future - how our towns and villages develop, how we protect and enhance our natural environment, develop our local economy, improve leisure and visitor facilities, improve social infrastructure and support more sustainable forms of travel.

1.4 The creation of a Local Plan is a regulated process which requires formal consultation at a range of different stages (as identified within the Councils' Local Development Scheme). In short, Babergh and Mid Suffolk District Councils began gathering a range of evidence to inform the preparation of a new Joint Local Plan during 2016. An early draft plan identifying broad issues and options was produced, and consultation undertaken during Autumn 2017. Following submission of more than 14,000 comments from over 1,300 people and input from both statutory consultees and a cross-party working group of Councillors, a preferred options Plan has now been developed.

1.5 The Councils have commissioned an independent Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) of the draft Plan and this report seeks approval to go to the next stage in the process and formally consult on the Babergh and Mid Suffolk Joint Local Plan: Preferred Options Document (appendix A).

2. OPTIONS CONSIDERED

2.1 Option 1 is to approve the Babergh and Mid Suffolk Draft Joint Local Plan: Preferred Options Document for consultation. If approved for consultation, the Councils will be able to afford it some weight when making planning decisions. The degree of weight will increase as the plan progresses through to adoption. The Draft Joint Local Plan

Document has been developed incrementally considering options for the development of policies through public consultation and Councillor engagement.

2.2 Option 2 is not approving the Babergh and Mid Suffolk Draft Joint Local Plan: Preferred Options Document for consultation. This is not recommended and would result in planning decisions continuing to be made in the absence of emerging policy.

3. RECOMMENDATIONS

3.1 That the Babergh and Mid Suffolk Draft Joint Local Plan: Preferred Options Document (June 2019) (appendix A) be approved for consultation.

3.2 That the Corporate Manager – Strategic Planning, in consultation with the Leader of the Council and Cabinet Member for Planning, be authorised to make consequential amendments to the consultation document arising from:

(i) removal of drafting and technical errors and typing mistakes, and

(ii) improvements to the layout of the document.

REASON FOR DECISION

To undertake an eight-week public consultation on the Draft Joint Local Plan Preferred Options, which is necessary to progress to the next stage of the Joint Local Plan.

4. KEY INFORMATION

Introduction

4.1 In June and July 2016, Councillors approved the commencement of the preparation of a new Joint Local Plan for Babergh and Mid Suffolk Districts, covering the period up to 2036. The Councils' evidence base was updated, and an Options Document for consultation produced.

4.2 In July 2017 Councillors approved the Babergh and Mid Suffolk Joint Local Plan: Options Document, which underwent a public consultation from 21st August 2017 to 10th November 2017. The document contained options for the development of policies within the Joint Local Plan, and details of sites that had been submitted to the Councils for consideration within the Joint Local Plan, which had been deemed potentially suitable for development.

4.3 The evidence base supporting the Draft Joint Local Plan has continued to develop, especially as a result of a revised National Planning Policy Framework being introduced in July 2018. This led to a change in emphasis required in respect of the detail to be provided for infrastructure requirements and viability evidence. An Infrastructure Delivery Plan has been produced alongside the Draft Joint Local Plan, which will detail the infrastructure required, along with likely costs supported by detailed evidence. For example, in respect of education requirements, feasibility studies have been undertaken by Suffolk County Council to provide certainty that schools can be extended to accommodate the growth proposed in the Draft Joint Local Plan, and that the Plan as a result is deliverable.

Babergh and Mid Suffolk Joint Local Plan

4.4 The Draft Joint Local Plan consists of three main sections. Part 1 contains strategic policies, with Part 2a containing development management policies and Part 2b focusing on places and site allocations.

4.5 The strategic policies (Part 1) address housing (including affordable housing), the settlement hierarchy, the spatial distribution of growth, the economy, infrastructure, and the environment. The preferred options include:

- A housing requirement for Babergh of 420 dwellings per year (7,560 dwellings between 2018 and 2036), and for Mid Suffolk of 556 dwellings per year (10,008 dwellings between 2018 and 2036). A significant proportion of this requirement already had planning permission at the 1st April 2018, which is the starting point of the Plan. Therefore, the Draft Joint Local Plan is allocating sites to meet the remainder of this requirement, some of which will have secured planning permission since 1st April 2018. Settlement boundaries have also been reviewed to allow for growth within a number of settlements. In addition, some sites will be allocated through neighbourhood plans. To ensure the Plan is deliverable throughout the plan period a contingency of 20%+ has been added to the supply of housing.

- 35% affordable housing is sought on relevant sites of 10 or more homes, or sites of 0.5 ha or more. The need for affordable housing and composition of housing type mix is identified within the Strategic Housing Market Assessment, which was updated in January 2019.

- The settlement hierarchy identifies settlements by key services and facilities and uses a weighting approach for key facilities. A topic paper explaining how the settlement hierarchy has been derived will accompany the public consultation.

- The spatial distribution of housing seeks to secure a balance new housing development along the strategic transport corridor areas of the A12 and A14, as well as promote vitality across the urban and rural areas of the districts. A minimum housing requirement is identified for neighbourhood plan areas.

- Supporting the area's diverse economic base.

- Prioritising new retail and town centre uses to the strategically important retail settlements of Sudbury, Hadleigh and Stowmarket. This does not preclude retail being developed in other areas within Babergh and Mid Suffolk Districts.

- Supporting rural tourism through appropriate new development.

- Sets out a framework to support appropriate infrastructure provision, having regard to the infrastructure delivery plan.

- Identifying areas where mitigation is required to address impacts on Protected Habitats.

- Addressing climate change through mitigation and adaptation, taking into account the long-term implications for matters including flood risk, water supply and biodiversity.

4.6 The development management policies (Part 2a) contain more detailed policies which support the strategic policies identified in paragraph 4.5.

4.7 The place section (Part 2b) of the Plan covers the identification of site allocations and the use of settlement boundaries to ensure the Plan can be delivered to meet the strategic priorities set out in the Plan.

4.8 Sustainability appraisal is carried out alongside preparation of the Plan and the Non-Technical Summary of the Sustainability Appraisal for this stage of the Draft Joint Local Plan is attached to this report as appendix B.

5. LINKS TO JOINT STRATEGIC PLAN

5.1 The current Joint Strategic Plan includes the following priority themes:

- Housing
- Economy
- Environment
- Strong and Healthy Communities

5.2 The Draft Joint Local Plan reflects these themes by including them as objectives to be achieved (in part) through new land use and planning strategies. In particular, the Draft Joint Local Plan will help Babergh and Mid Suffolk District Councils to achieve their key priorities on:

- Housing: the Draft Joint Local Plan Preferred Options Document identifies how many homes are needed in the area and sets out the preferred spatial distribution of homes to ensure this need can be delivered. It also identifies the size, type and tenure of homes needed for the area. The new Plan will provide certainty about growth expectations and the locations for growth. Retaining or improving the vitality of communities will be a key consideration. This objective seeks to ensure the delivery of the right types of homes, of the right tenure in the right place meeting need.

- Economy: the Draft Preferred Options Document sets out the preferred approach to ensure that jobs growth can come forward and strategic employment land is protected. It seeks to encourage the development of employment sites and other business growth, of the right type, in the right place and encourage investment in infrastructure, skills and innovation in order to increase productivity.

- Environment: the Draft Preferred Options Document sets out how the Councils will protect and enhance environmental assets for current and future generations through for example achieving biodiversity net gains from new development, addressing climate change matters and seeking to protect and enhance landscapes. The Plan also seeks to ensure new development avoids areas of flood risk and reduces future flood risk where possible.

- Strong and Healthy Communities: the Draft Preferred Options document aims to support and safeguard key services and facilities within the districts, which play an important role in the community, to enable all communities to thrive, grow, be healthy, active and self sufficient through supporting the provision of the

necessary infrastructure. A further objective is to continue to support communities to deliver plans and projects at the district and neighbourhood levels.

6. FINANCIAL IMPLICATIONS

There is an annual budget to support the technical evidence (consultancy work) across both Babergh and Mid Suffolk District Councils, which totals £112,970 a year and is added to by any unspent funding from previous years. In addition, there was a budget for Examination costs totalling £140,000 which has been put into reserves alongside any unspent budget for technical evidence from previous years to cover committed and future evidence required plus Examination Costs. These funds can also include any legal expenses required for the Examination in Public in 2020/21.

Expenditure	Total	2017/18	2018/19	2019/20
Technical evidence (consultancy work)	£326,455	£129,760	£105,913	£90,782
Net Effect	£326,455	£129,760	£105,913	£90,782

The total spent in the years 2017/18 and 2018/19 on technical evidence and consultancy work to support the Joint Local Plan was £235,674. A number of evidence base studies have been sufficiently advanced as the emerging Joint Local Plan reaches this Regulation 18 stage and there will be further costs to reach the next Submission stage (Regulation 19). To date in 2018/19, £90,782 has been spent to support the technical evidence required. This leaves £22,188 in the budget plus £383,179 in reserves.

Joint Local Plan Examination costs will occur when the Examination in Public takes place and will include the Inspector's costs as well as the cost of appointing a Programme Officer to support the Examination, which is required.

7. LEGAL IMPLICATIONS

7.1 The Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to prepare Local Plans. The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the procedures to be followed in the preparation of Local Plans. The Babergh and Mid Suffolk Draft Joint Local Plan: Preferred Options Document (June 2019) is being consulted on under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

7.2 Planning law requires that where Development Plan policies are relevant to planning applications, decisions in determining these must be made in accordance with the adopted Plan, unless material considerations indicate otherwise. The legal planning decision framework therefore relies on Councils having an up-to-date Development Plan in place.

8. RISK MANAGEMENT

8.1 The report impacts upon the following Corporate / Significant Business Risks:

1a (not having an up-to-date Plan which addresses housing need and demand).

1b (not having a sufficient, appropriate supply of land available in the right locations).

1c (not being able to meet the Government's Housing Delivery Test).

1d (development may be unsustainable if we do not secure investment in infrastructure).

1e (may be an insufficient local supply of appropriate homes for the ageing population).

2d (we may not provide the right amount of employment land and property in the right places).

3a (we may not be able to help communities become more sustainable).

Other key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Disagreement to endorse the proposed consultation.	Unlikely (2) – councillors have been engaged in the preparation of the Joint Local Plan to date.	Serious (3) – Impact would extend the time without a plan-led approach and potentially create more speculative applications and appeals. It would also create uncertainty for communities and the development sector and could potentially result in the Government taking over production of the Joint Local Plan.	Engagement with Councillors through Member Working Group meetings, and clear explanation of the reasons for the preferred strategy.
Significant objections to the soundness or legal requirements of the Joint Local Plan.	Probable (3) – stakeholders unhappy with the Joint Local Plan, will raise objections to be considered and assessed.	Noticeable (2) – impact could be significant for the Plan timetable if fundamental issues raised and Joint Local Plan needs considerable review.	The Councils have undertaken an evidence-led approach to producing the Joint Local Plan and have prepared the document with

			regard to the latest national planning practice guidance.

9. CONSULTATIONS

9.1 A public consultation was undertaken on the Joint Local Plan: Consultation Document (August 2017) between 21st August and 10th November 2017. 1,300 individuals responded to the consultation with circa 14,000 responses. This was followed by engagement with Councillors at a series of Councillor workshops.

9.2 The Draft Joint Local Plan has continued to be developed with adjacent local planning authorities, statutory organisations and other relevant infrastructure providers, through the public consultation in 2017, through ongoing discussions (for example the Ipswich Strategic Planning Area), and through development of an Infrastructure Delivery Plan. Under Section 110 of the Localism Act, the Councils must engage with adjacent local planning authorities, statutory organisations and other relevant infrastructure providers through the requirements of the 'Duty to cooperate'.

9.3 There are a significant number of neighbourhood plans being prepared across both districts with some recently adopted 'made' and others going through Referendum or at Examination. The Councils have responded to neighbourhood plans during what is known as the Regulation 14 consultation. The Councils continue to work with neighbourhood plan groups as they develop their neighbourhood plans.

9.4 Officers will continue to work closely with Councillors and local communities when the Draft Joint Local Plan Preferred Options Document is published for consultation. All consultation will be carried out to comply with the statutory requirements and the adopted Statement of Community Involvement.

10. EQUALITY ANALYSIS

10.1 An Equality Impact Assessment (EIA) is required and is appended at appendix C.

11. ENVIRONMENTAL IMPLICATIONS

11.1 As mentioned in paragraph 4.8 of this report, the Sustainability Appraisal of the Plan is carried out alongside preparation of the Plan.

11.2 An Appropriate Assessment has also been undertaken as required by a Habitats Regulation Assessment to identify the impact of the Plan on Protected Habitats and appropriate mitigation.

12. APPENDICES

Title	Location
(a) Babergh and Mid Suffolk Draft Joint Local Plan: Preferred Options Consultation Document (June 2019)	https://www.babergh.gov.uk/assets/Strategic-Planning/JLP-Reg18-2019/Council-v1-BMSDC-Joint-Local-Plan-Preferred-Options-Reg-18.pdf
(b) Non-Technical Summary of the Sustainability Appraisal of the Babergh and Mid Suffolk Joint Local Plan	Attached
(c) Equality Impact Assessment prepared for the Regulation 18 Draft Joint Local Plan Document: Preferred Options Document	Attached

13. BACKGROUND DOCUMENTS

13.1 Sustainability Appraisal –

https://www.babergh.gov.uk/assets/Strategic-Planning/JLP-Reg18-2019/BMSDC-Joint-Local-Plan-Sustainability-Appraisal-Report-June-2019.pdf

13.2 Evidence Base

https://www.babergh.gov.uk/planning/planning-policy/evidence-base/

https://www.midsuffolk.gov.uk/planning/planning-policy/