

AGENDA ITEM NO.8

COUNCIL

Date **24 JANUARY 2013**

Title **FENLAND CORE STRATEGY – PROPOSED SUBMISSION VERSION**

1. PURPOSE/SUMMARY

Following Cabinet approval earlier today, to seek approval from Council of the attached Proposed Submission Version of the Core Strategy (including Policies Map) for Fenland and subsequently to consult the public and stakeholders and authorise the document to be submitted to the Secretary of State for Examination.

2. KEY ISSUES

- The Core Strategy sets the planning framework for the district to 2031.
- It sets the growth targets for housing and other matters, as well as other planning policies.
- It will replace the current Local Plan (1993), which is out of date and creating a degree of uncertainty.
- It will complement national planning policies as set out in the National Planning Policy Framework (NPPF), 2012.
- Following Council approval the Core Strategy will be consulted upon for the final time before being 'submitted' to the Secretary of State so that a period of independent Examination can be undertaken on it.

3. RECOMMENDATION(S)

It is recommended that Council:

1. Approve the attached Core Strategy – the Proposed Submission Version for the purpose of (a) public consultation and (b), at the end of that consultation, submission to the Secretary of State for Examination.
2. Approve the attached Policies Map – Proposed Submission Version for the purpose of (a) public consultation and (b), at the end of that consultation, submission to the Secretary of State for Examination.
3. Approve the attached Fenland Infrastructure Delivery Plan (IDP), 2013, as a supporting document to the Core Strategy and as a 'live' document with the ability for infrastructure items within it to be updated and added as and when appropriate; and further approve that the IDP be brought back to Cabinet at least once a year for a full refresh and approval by Cabinet.
4. Delegate to the Corporate Director, in consultation with the Portfolio Holder if necessary, approval of any necessary minor adjustments to the Core Strategy, Policies

Map or IDP.

Wards Affected	All
Forward Plan Reference No. (if applicable)	2013/01/24/5
Portfolio Holder(s)	Cllr Alan Melton – Leader Cllr Chris Seaton – Deputy Leader Cllr Kit Owen – Growth and Transport
Report Originator	Richard Kay – Neighbourhood Strategy Manager Gary Garford – Corporate Director
Contact Officer(s)	Richard Kay – 01354 622347 Gary Garford – 01354 622373
Background Paper(s)	Cabinet Agenda Papers of 24 March 2011, 30 June 2011, 10 May 2012 and 21 June 2012

1. BACKGROUND / INTRODUCTION

- 1.1 Cabinet agreed on 24 March 2011 a new approach to plan making which, in short, was to produce a single and concise all embracing 'Core Strategy' planning policy document, rather than producing over time a collection of separate planning policy documents. This Core Strategy, it was agreed, would contain in the region of 12 policies, plus complementary guiding key diagrams, against which all development proposals can be considered.
- 1.2 Following Cabinet approval on 30 June 2011, a draft of such a Core Strategy was issued for consultation in July-September 2011.
- 1.3 Following the publication of the National Planning Policy Framework (NPPF) in March 2012, Cabinet agreed on 21 June 2012 to slightly amend the draft Core Strategy to fit the NPPF and issue it for further public consultation in July-September 2012.
- 1.4 The Community Development Plan Review Team has received regular feedback through these consultation periods, and more generally all Members have received from time to time briefings on the latest progress with preparing the document.
- 1.5 We have now reached an important milestone. Attached to this report is the recommended 'Core Strategy – Proposed Submission Version'.
- 1.6 Please note that this item is being considered by Cabinet earlier today (24 January 2013). The outcome of that meeting will be verbally reported to Council.

The Core Strategy 'headlines'

- 1.7 The headline proposals of the Core Strategy are:
 - A pro growth strategy, focussed on promoting the health and wellbeing of our residents, housing growth and jobs growth
 - Target of 11,000 new homes and 7,200 jobs
 - A flexible, criteria based document, to guide development (rather than being prescriptive about where and when growth should occur)
 - Major growth focussed on our four market towns, with large scale urban extensions at each
 - Policies to ensure proposals are sustainable, and address issues such as design quality, flooding, infrastructure and transport

Recent Amendments

- 1.8 Broadly, the attached document reflects the same basic structure and approach as per the draft Core Strategy envisaged by Cabinet in March 2011 and consulted upon over the past 18 months. However, as a result of those consultations, together with further work on our evidence base, a number of changes have been introduced. For this latest version, the main changes are as follows:
 - A new policy on the 'presumption in favour of sustainable development', a requirement to include such a policy being imposed on all local planning authorities in 2012 by the then Decentralisation and Planning Minister, Rt Hon Greg Clark.
 - A new policy on Health and Wellbeing has been added at the start of the document, to emphasise the Council's commitment to support and improve the health and wellbeing of its residents, with growth and planning paying a major role in achieving this.

- A new policy has been added on heritage issues, to address an objection from English Heritage and to meet NPPF requirements.
- A new policy on protecting our natural environment has been added, to address objections from Natural England, the Wildlife Trust and Cambridgeshire County Council.
- The affordable housing policy has been clarified, so that it is absolutely clear that stand-alone development schemes of 1-4 dwellings do not need to provide, or contribute towards, affordable housing (the current draft policy was open to misinterpretation).
- The affordable housing policy has been further amended to reduce the proportion of affordable housing requested on developments sites of 10 or more dwellings from 30% to 25%
- North-East March ('Estover Road') allocation re-written so that its primary purpose for being allocated is to enable enhanced open space and play facilities, plus clarity on the need for thorough transport assessments and the possibility of requiring the delivery of a northern link road.
- A new section on 'infrastructure' has been included, including a one page summary of infrastructure items found in the supporting Infrastructure Delivery Plan
- The Settlement Hierarchy policy has been amended to: permit single dwelling infill developments in newly named small settlements not previously listed in the Policy; and to give slightly more flexibility to the amount and location of growth in small villages.
- The Wisbech policy has been amended to more clearly reflect the transport infrastructure which is needed in order for growth to take place at Wisbech, including wording to highlight that the West Wisbech allocation is phased and deliverable only if a western link road is delivered.
- The 'exception' policy for affordable housing (i.e. a policy which would permit, as an exemption to normal policy, affordable housing sites adjacent to rural settlements) has been removed, because the flexible nature of the plan means there is no restriction, in principle, to new housing, whether private or affordable, on the edge of rural settlements i.e. there is no restrictive policy against which an 'exception' could be made.

1.9 Other, more minor changes have also been included in the document to meet comments received from the consultation stage.

1.10 The Core Strategy has also been updated to reflect the fact that, on 3 January 2013, the long standing desire of government to revoke the East of England Plan (Regional Spatial Strategy) was completed i.e. from 3 January 2013, the East of England Plan no longer forms part of the statutory development plan for Fenland.

'Proposed Submission'

1.11 We are reaching the final stages of preparing the Core Strategy. We are now at what is known as the "Proposed-Submission" version of the plan. If approved by Council today (24 January 2013), it will be made available for formal public comments and then any comments made, together with the plan itself, will be "Submitted" to the Secretary of State.

1.12 The Secretary of State will then appoint an Inspector to test and examine the plan i.e. the public comments submitted at this next stage are, in simple terms, NOT subsequently considered by the Council, but rather by the Inspector appointed by the Secretary of State.

- 1.13 The important point to make is that, despite the Core Strategy going out for consultation in the February/March 2013, the Council will not be asked to change it after it has reached a decision today, irrespective of what people may say in the subsequent consultation period. Thus, this is the last opportunity for Council to offer suggested changes to the Core Strategy before approving what it considers to be a final and 'sound' document. After 24 January 2013, in simple terms, realistically only the Inspector will recommend further changes, though such changes in most instances can often be negotiated between the Inspector and officers before changes are imposed on the Council.

Evidence Base (including the Infrastructure Delivery Plan)

- 1.14 Council should note that the Core Strategy itself is just the 'headline' policy document which sits on top of a vast amount of supporting evidence, other documents and studies, and public opinions. Collectively, all of this 'evidence base' justifies the content of the Core Strategy.
- 1.15 One important such evidence document is the Infrastructure Delivery Plan (IDP). Due to its importance, this document is brought to Members attention today and is asked to be approved as a supporting document to the Core Strategy. The IDP sets out costed, phased and prioritised programmes of infrastructure to respond to economic and housing growth. It also includes some aspirational items of infrastructure which, whilst not strictly required to meet the growth in this Core Strategy, would improve the quality of life of residents in Fenland and/or be required to meet future growth beyond the end date of the current Core Strategy.
- 1.16 An important element of the IDP is that it will be regularly updated as and when infrastructure is identified, built, costed or details confirmed. For example, as and when the county-wide Local Transport Plan is updated, so will the IDP. The recommendation at the start of this agenda item is for Cabinet to receive and approve and update IDP at least once a year. This will ensure Members are fully involved in the infrastructure programme for Fenland.
- 1.17 The Council will have regard to the IDP when: (a) applying policy CS13 of the Core Strategy in the determination of planning applications; (b) considering how to prioritise spend of its own capital resources (including those resources secured through developer contributions and, if introduced, a Community Infrastructure Levy (CIL)) and (c) in lobbying government and other infrastructure providers to use their resources to implement timely new infrastructure.

Consultation and Examination Period

- 1.18 Comprehensive public and stakeholder consultation has already taken place (twice) on draft versions of the new look Core Strategy, and many helpful comments and suggestions have been received. We have incorporated as many suggestions as possible and practical to do so.
- 1.19 Council should be aware that, amongst other representations made on the latest draft version of the document (July 2012), a petition of 569 signatures was received in respect of Estover Road / March East Proposals. This petition has been carefully considered, alongside other representations, as part of the Core Strategy development process rather than any separate process. It is considered that it represents a significant representation and is therefore appropriate to highlight this particular petition to Members in this agenda report. The petition, and other representations, has assisted the formulation of a revised policy in the Core Strategy in respect of this particular site.

- 1.20 One other representation particularly worthy of highlighting to Members is that of Cambridgeshire County Council, which raised a number of concerns with respect to the July 2012 draft version. However, we are pleased to report that, following discussions with the County Council, we have reached agreement on revised text for parts of the Core Strategy (for example, strengthening Lifetime Homes policy) and that, informally, the County Council has endorsed the Core Strategy and therefore indicated that it will not pursue its previous objections further.
- 1.21 Assuming Council agree the Core Strategy, a six-week consultation stage will commence in, probably, mid to late February. All the documents and evidence base will be made available on the website, both as a hard copy to download plus as an interactive based version of the Core Strategy where comments can be posted on-line.
- 1.22 Hard copies of the main documents (i.e. not the entire evidence base) will be available in appropriate locations, including each of the '@ Your Service' outlets and at Business Reception at Fenland Hall. A representation form will be available to help people make comments via the post.
- 1.23 In April or May, once all the comments have been collated, the Core Strategy will then be 'submitted' to government along with the comments received and all of the supporting evidence documents. We anticipate an Inspector then being appointed to 'examine' the plan, which will include around two weeks of what are known as 'hearing sessions' (estimated to take place in September), where the Inspector will chair meetings of interested parties, whom the Inspector invites, on topics which the Inspector sets. Council planning officers will automatically get a seat at the table to defend the contents of the plan, whilst objectors will attempt to persuade the Inspector to make changes to it.

Inspector's Report and Adoption

- 1.24 Finally, the Inspector will issue an 'Inspector's Report' (estimated December 2013) which will contain a list of recommendations. Broadly speaking, any recommended 'main modifications' the Council must accept, whereas any 'minor modifications' are at the Council's discretion.
- 1.25 Following this stage, the Core Strategy will come back to Cabinet and Council with a recommendation for final adoption, incorporating main modifications recommended by the Inspector and any additional minor modifications, providing the Inspector is satisfied with the overall 'soundness' of the document.
- 1.26 If the Inspector is not satisfied with the overall 'soundness' of the Core Strategy, and does not feel able to make recommendation to correct it, then the Inspector will determine the plan to be 'unsound'. This would mean the Council is unable to adopt the document, and would direct the Council to start a re-write (together with further consultation).

The Policies Map

- 1.27 Legally, the Council must have a 'Policies Map' for the entire district, set out on an OS based map. It is a separate legal document to the Core Strategy, but if a Core Strategy (or other planning policy document) proposes land use changes, then the Council must make those changes on the Policies Map.
- 1.28 Traditionally, a Policies Map contains a number of allocations, including new sites for development as well as protected areas such as sites protected for their biodiversity value

and village boundaries. The current Fenland Policies Map (or Proposals Map as it was then known), linked to the 1993 Local Plan, follows this traditional route.

- 1.29 However, because the Council has decided to have only a single, criteria based Core Strategy planning policy document, with only large sites being allocated (rather than lots of development sites), then Fenland's Policies Map is in need of significant updating.
- 1.30 A draft version of a revised Policies Map was published in July 2012 for comment. This included the following key points:
- Removed all existing land allocations for new development, as were allocated as part of the 1993 Local Plan
 - Added the new 'strategic allocations' as proposed in the Core Strategy (i.e. the large urban extensions identified at the four market towns)
 - Removed all urban and village area boundaries
 - Updated all protection zones, such as conservation areas, nature sites, etc
 - Included all the proposals as found in the very recently adopted Cambridgeshire Minerals and Waste Development Plan Documents (Fenland is legally obliged to show these allocations on its Policies Map)
- 1.31 Very few, and only minor, comments were made in July-Sept 2012 directly with respect to the Policies Map (though, of course, comments were made on specific allocations or lack of sites being allocated on it). As such, only very minor changes have been necessary at this stage compared with the July 2012 version.
- 1.32 The Policies Map forms part of the Council papers, and needs approval by Council so that it can be consulted upon alongside the Core Strategy. Due to their large size these maps will be displayed at the Council meeting.

2. EFFECT ON CORPORATE OBJECTIVES

- 2.1 The Core Strategy is central to the delivery of many of the Council's corporate objectives.

3. COMMUNITY IMPACT

- 3.1 The Core Strategy will have a major impact on all communities across Fenland, in terms of, for example, improving their health and wellbeing, economic prospects, meeting housing needs, the quality of the environment in which they live and what services and facilities are provided.

4. CONCLUSIONS

- 4.1 Council is recommended to approve the attached Core Strategy and Policies Map so that officers can commence important public consultation on it and subsequently submit the document to government for inspection.