

**Report of Director of Place & Wellbeing
To
Overview and Scrutiny Committee Place
23 August 2018**

Publication Draft Local Plan

1. SUMMARY

- 1.1 The purpose of this report is to provide Overview and Scrutiny Committee Place with a summary of the Local Plan before it is formally considered by Full Council on 18 September 2018.
- 1.2 The presentation, which will be given by officers at the meeting on 23 August 2018, contains information which would potentially impact on the financial or business affairs of a number of people and therefore at this stage, prior to public consultation, it is considered that such information is exempt.

2. RECOMMENDATION

- I. The details submitted in this report and presented at the meeting in relation to the progress on the Local Plan are noted.
- II. That Overview and Scrutiny Committee Place provide any comments in relation to the Local Plan Publication Draft 2018 that they would like to be incorporated into a report to the Portfolio Holder for Safer Communities.

3. Background

- 3.1 Mansfield District Council is required to produce a Local Plan for the district to guide development for a period of 15 years. The Local Plan will ensure new homes; jobs and services are located in the most sustainable locations, along with the necessary infrastructure and facilities, whilst conserving and seeking to improve our most valued built and natural assets.
- 3.2 The current stage in the local plan process is the Publication Draft which is the first time the Local Plan will be formally published under Regulation 19 of the Town and Country (Local Planning) (England) Regulations 2012. The proposed publication version of the Local Plan is attached at Appendix A to this report. This is the version of the Local Plan that Full Council will be asked to approve on 18 September 2018 and represents the Local Plan which the council considers should be submitted for examination. Before it can be submitted it must be published for a six week consultation period for representations to be made.
- 3.3 Members will recall that there have been three previous consultations on the Local Plan under Regulation 18, where there has been an opportunity for all stakeholders to make comments on the content of the Local Plan. These were:

- Local Plan Scoping Report (2015)
- Local Plan Consultation Draft (2016) and
- Local Plan Preferred Options (2017).

3.4 Representations on the Local Plan Publication Draft can only be made on the following grounds:

- Soundness
- Duty to Cooperate and
- Legal Compliance

3.5 It is therefore not proposed to hold the same level of public consultation that has previously been held. Everyone on the Local Plan consultation database will be notified and the consultation will be advertised in accordance with the adopted Statement of Community Involvement 2017. All representations received at this stage will be reviewed and forwarded to the planning inspector when we submit the plan for examination.

3.6 To be “sound”, the Local Plan should be:

- **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 and 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 NPPF 2012.

3.7 The first task of an inspector appointed to hold an examination is to assess if the council has complied with the legal Duty to Cooperate. This is to ensure that the district council has engaged constructively and on an ongoing basis with neighbouring authorities and other public bodies to maximise the effectiveness of the local plan preparation in the context of strategic cross-boundary matters; for example being able to deliver the homes and jobs needed within an area.

3.8 If the inspector concludes that this is not the case then the Local Plan will automatically fail, as the non-compliance cannot be remedied through retrospective action.

3.9 In order to test legal compliance the inspector will assess if the plan has been prepared in accordance with Section 20(5) (a) of the Planning and Compulsory Purchase Act 2004, and the correct process has been followed in the preparation

of the Local Plan; for example that all consultations have been carried out in accordance with the adopted Statement of Community Involvement 2017.

- 3.10 As well as a range of other evidence. The Local Plan has been subject to the following independent assessments as required by the Regulations:
- Sustainability Appraisal/ Strategic Environmental Assessment;
 - Habitats Regulations Assessment and;
 - Viability Study
- 3.11 The Local Plan also includes a Policies Map which identifies on an ordnance survey base where the various policy areas apply this can be viewed at appendix B.
- 3.12 The preparation of the Local Plan Publication Draft has been informed by advice in the National Planning Policy Framework (NPPF) 2012 and National Planning Policy Guidance. The revised NPPF was published on 24 July 2018 and includes transitional arrangements which set out that Local Plans that are submitted on or before 24 January 2019 will be examined against the NPPF 2012. As part of the preparation of the Local Plan some elements of the NPPF 2018 have been introduced including the standardised housing methodology. The Local Plan clearly sets out where it has been prepared in accordance with the NPPF 2018.

Standardised housing methodology

- 3.13 Based on the previous policy approach of the NPPF 2012, Mansfield District Council, jointly with the other authorities that make up the Nottingham Outer Housing Market Area (HMA) commissioned consultants to prepare a Strategic Housing Market Area Assessment (SHMA) 2015. The SHMA identified a housing need for the district of 7520 dwellings over the plan period 2013- 2033 or 376 dwellings per annum (dpa). This was the target used within the Local Plan Consultation Draft (2016) and the Local Plan Preferred Options (2017).
- 3.14 In order to deliver the housing target of 376 dpa, and to be able to demonstrate a five year housing land supply, the council would require an average rate of delivery from April 2018 of 530 dpa. This level is to make up for under-delivery since 2013 and is considered unrealistic when 308 dpa have been delivered on average (since 2001).
- 3.15 If we are unable to demonstrate a five year housing land supply, the Local Plan could fail at examination, or if adopted would be considered out of date and the presumption in favour of sustainable development would apply. In effect the Local Plan would be adopted and then instantly out of date.
- 3.16 The revised NPPF 2018 introduced the standardised housing methodology for calculating local housing need. This lowers the housing requirement to 279 dpa which is significantly lower than the previous target. To reflect the council's

aspiration for further growth it is proposed to set the housing target at 325 dpa or 6500 dwellings over the plan period. This is considered an appropriate target for two reasons.

- Firstly, it delivers a 5% increase over the average number of homes built since 2001/02.
- Secondly, it was identified in the SHMA 2015 that the district is required to deliver 328 dpa (or 6560 over the plan period) to provide enough housing necessary to support the economic growth that would be produced from the projects in the D2N2 LEP Growth Strategy 2014.

3.17 Members should note that there is a risk by adopting the standardised housing methodology as the Local Plan will be examined in accordance with the NPPF 2012. A number of local planning authorities have recently submitted their local plans using the standardised housing methodology to calculate their housing need, although these plans are yet to be found sound. The Planning Inspectorate has not raised concerns to date with this approach as long as it can be justified.

The Local Plan Publication Draft

3.18 Part A of the plan provides the overall context of the document and the vision and objectives for the district until 2033. Part B of the Local Plan seeks to guide development and is broken down into the following chapters:

- a. Spatial Strategy – seeks to deliver the Local Plan vision and objectives.
- b. Place making – the chapter introduces the Mansfield place making principles that will be used to encourage well designed new developments.
- c. Housing – the Local Plan needs to deliver 6500 dwellings over plan period, in order to do this the local plan will allocate enough land for 9,662 dwellings through commitments and new allocations, this chapter sets out which sites will be allocated and also contains other housing related policies.
- d. Employment- around 41 hectares (ha) of employment land is required, there is a need to identify approximately 5 ha of employment land within the local plan. This chapter identifies the site allocations that will enable the district's employment requirements to be met, and other employment related policies.
- e. Retail – the local plan is required to deliver 13,200 sqm of comparison floor space and 540 sqm of convenience floor space. This chapter allocates retail sites to meet the district's retailing requirements and other retail and town centre related policies.
- f. Strategic urban extensions – this chapter allocates two strategic sites identified within the Local Plan Preferred Options (2017) at Land off Jubilee Way and Pleasley Hill Farm for mixed use developments.
- g. Infrastructure and facilities – sets out the infrastructure provision that is required to support development. This includes sustainable transport and the provision and enhancement of green infrastructure.
- h. Natural environment – protects landscape character and national and locally important sites.
- i. Historic environment – protects the district's heritage assets.

- j. Climate change – encourages sustainable forms of development especially in relation to managing water resources and flood risk.

3.19 A presentation will be given to members at the meeting setting out the content within each chapter of the Local Plan.

4.0 Next steps

4.1 It is intended that, subject to any comments made by OSC Place on the Local Plan Publication Draft, it will be considered by Full Council on 18 September 2018 for public consultation. The timetable for the Local Plan thereafter is set out in the table below:

Date	Stage
18 September 2018	Council agrees publication version
20 September 2018	Public consultation begins
1 November 2018	Public consultation ends
December 2018	Submit the Local Plan for examination
Spring 2019 (estimated)	Examination starts
Early 2020 (estimated)	Adoption

4.2 Once the Local Plan is submitted an independent planning inspector will be appointed by the Planning Inspectorate to consider whether the Local Plan is 'sound'. At this point the council will no longer be in control of the timetable as this will initially be determined by the Planning Inspectorate and then by the appointed planning inspector. Based on experience elsewhere it is likely that the examination hearing would take place in Spring 2019.

4.3 It should be noted that there is still some uncertainty between the length of time between submission and the start of the examination based on experience elsewhere. There is less certainty regarding how long it will take to receive an Inspectors Report. It will be necessary therefore to keep the timetable under review and to provide updates to OSC Place as the plan progresses.

5.0 Comments of Statutory Officers

(a) Deputy Monitoring Officer – the timely approval of a robust Local Plan is essential to ensure that the Council fulfils its planning obligations and provides the necessary assurance to the Secretary of State for Housing, Communities and Local Government.

(b) Section 151 Officer – There are no financial implications arising from this report

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