

Cheltenham Borough Council
Council – 15th October 2018
Joint Core Strategy Review Issues & Options Consultation

Accountable member	Councillor Jordan - Leader
Accountable officer	Tracey Crews – Director of Planning
Ward(s) affected	All
Significant Decision	Yes
Executive summary	<p>The JCS was adopted in December 2017 with a commitment to undertake an immediate review on the issues of housing supply for Gloucester and Tewkesbury and the retail policies for the whole area. This was recommended by the government appointed Inspector who examined the plan and concluded that this immediate review is necessary in order to find the plan to be ‘sound’.</p> <p>While the immediate review was to be focused on the particular issues the new National Planning Policy Framework (NPPF) has subsequently been published which puts new requirements on local plans. This means that the scope of the review will need to be expanded to be in conformity with national policy.</p> <p>Fundamentally the JCS review will again look at the growth needs over a 15 to 20 year timescale, what the best strategy is for delivering that growth, and the allocation of strategic sites to help meet these needs. However, it is also an opportunity to review all of the policies contained with the current adopted plan to see if they continue to be effective and consistent with the NPPF.</p> <p>The Issues and Options stage of plan making seeks to review and generate feedback on the key issues that are affecting the area and set out the some of the options that are available to address them.</p> <p>It therefore does not propose a strategy, new sites or policies; this will be for the next stages of the plan.</p>
Recommendations	<ol style="list-style-type: none"> 1. That the JCS Review Issues & Options consultation document set out in Appendix 2, be approved for public consultation under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012; 2. That Council delegates authority to the Director of Planning, in consultation with the Leader to make any minor amendments to the text of the document and make appropriate changes to the design prior to its publication for consultation.

Financial implications	<p>There are no financial implications arising from the recommendations in this report.</p> <p>Contact officer: Sarah Didcote, Sarah.Didcote@publicagroup.uk 01242 264125</p>
Legal implications	<p>Regulation 10A, which was brought into force on 6 April 2018, of the Town and Country Planning (Local Planning) (England) Regulations 2012 provides that local planning authorities must complete a review of their local plan development plan documents within five years of the date of the document's adoption and therefore a full review of the JCS needs to be completed by December 2022.</p> <p>Further, the 2018 NPPF issued on 24 July 2018, provides that plans may need to be revised to reflect policy changes with it has made and that this should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.</p> <p>In preparing a local plan (or its review), under regulation 18 of the Town and Country Planning (Local Planning)(England) Regulations 2012, a local planning authority must notify:</p> <ul style="list-style-type: none"> - specified consultation bodies that may have an interest in the subject of the proposed local plan; and - such residents and other persons carrying on business in the local planning authority's area which it considers appropriate to invite representations <p>of the subject matter of the local plan which it proposes to prepare and invite them to make representations about what a local plan with that subject ought to contain.</p> <p>There is no minimum period for consultation at this stage of the plan making process, as opposed to the Pre-Submission stage which requires a minimum of 6 weeks.</p> <p>Contact officer: Cheryl Lester, cheryl.lester@teWKesbury.gov.uk 01684 272013</p>
HR implications (including learning and organisational development)	<p>No direct HR Implications arising from the report</p> <p>Contact officer: Clare Jones, Clare.Jones@publicagroup.uk 01242 264364</p>
Key risks	<p>The JCS was adopted with condition of an immediate review. In order to ensure the JCS can demonstrate development needs can be accommodated and delivered within the plan period up to 2031, timely progress needs to be made on the review.</p> <p>Since the adoption of the JCS the National Planning Policy Framework has been reviewed this places new requirements on development plans. A review of the JCS is needed to reflect its requirements.</p>

Corporate and community plan Implications	<p>The JCS supports and is referenced by the Corporate Strategy and wider community planning. The plan making process is open to all parties of the formal consultation processes.</p>
Environmental and climate change implications	<p>Lack of progress on the JCS Review could further result in an uncoordinated approach to development. It is important that future growth is plan-led to ensure that combined impacts on the environment and the infrastructure needs of the wider area are taken into account. The comprehensive approach to environmental impacts cannot be fully assessed through incremental and piecemeal growth.</p> <p>The JCS Review will be assessed through a sustainability appraisal process and Habitats Regulation Assessment (HRA) which consider the environmental, social and economic outputs of the Plan and ensure that development meets the needs of both present and future generations. The Sustainability Appraisal supporting the JCS will encompass Strategic Environmental Assessment as required by EU Directive (2001/42/EC). In addition an HRA will be undertaken as required under the European Directive 92/43/EEC on the "conservation of natural habitats and wild fauna and flora for plans" that may have an impact on European (Natura 2000) Sites.</p>
Property/Asset Implications	<p>No direct implications arising from the report.</p> <p>Contact officer: Dominic Stead Dominic.Stead@cheltenham.gov.uk</p>

1. Background

- 1.1** The JCS was adopted in December 2017 with a commitment to undertake an immediate review on the issues of housing supply for Gloucester and Tewkesbury and the retail policies for the whole area. This was recommended by the government appointed Inspector who examined the plan and concluded that this immediate review is necessary in order to find the plan to be 'sound'.
- 1.2** While the immediate review was to be focused on the particular issues the new National Planning Policy Framework (NPPF, 2018) has subsequently been published which puts new requirements on local plans. This means that the scope of the review will need to be expanded to be in conformity with national policy.
- 1.3** Fundamentally the JCS review will again look at the growth needs over a 15 to 20 year timescale, what the best strategy is for delivering that growth, and the allocation of strategic sites to help meet these needs. However, it is also an opportunity to review all of the policies contained with the current adopted plan to see if they continue to be effective and consistent with the NPPF.
- 1.4** The Issues and Options stage of plan making seeks to review and generate feedback on the key issues that are affecting the area and set out some of the options that are available to address them.
- 1.5** It therefore does not propose a strategy, new sites or policies; this will be for the next stages of the plan.

2. Reasons for recommendations

- 2.1** The JCS was adopted in December 2017 with the requirement to conduct a focused review for the following issues:
- 2.2** Policy SD2 – Retail and City / Town Centres:
- 2.3** “Following adoption of the JCS, this policy will be subject to an immediate review. The single issue review will take approximately two years to complete. It will cover strategic planning matters relating to the three JCS authorities including issues such as a revised assessment of retail needs, market share between different designated centres, city / town centre boundaries, site allocations, primary and secondary shopping frontages and locally defined impact thresholds.”
- 2.4** Policy REV1: Gloucester and Tewkesbury Housing Supply Review:
- 2.5** “A partial review of the housing supply for Gloucester and Tewkesbury will commence immediately upon adoption of the JCS. On adoption, the authorities will publish a Local Development Scheme to set out the timescales for completion. The review will cover the allocation of sites to help meet any shortfall in housing supply against the JCS housing requirements for the respective authorities.”
- 2.6** It is clear that the JCS authorities are required to undertake a partial review. However, since the adoption of the JCS significant changes in circumstance have occurred.
- 2.7** Firstly, in July 2018 the revised National Planning Policy Framework (NPPF) was published. Paragraph 22 of the NPPF now requires strategic policies to look ahead over a minimum 15 year period from adoption. In addition, paragraph 33 says:
- 2.8** “Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in

national policy.”

- 2.9** Firstly, the current JCS plan period is 2011-2031 and a focused review would maintain this. Assuming this review was completed and adopted in 2020 it would only be planning for 11 years, rather than the 15 which is now in the NPPF. So the review would conflict with the NPPF as soon as it was adopted. The current JCS also now needs to be reviewed by 2022. It would be inefficient and confusing to have the focused review and a wider review running at the same time but as separate processes.
- 2.10** Secondly, delivery at some of the JCS strategic allocations is not happening as quickly as was anticipated when the JCS was adopted last year. The result is that Cheltenham can no longer demonstrate a five year land supply which has serious implications on determining planning applications. This evidence clearly demonstrates that requirements outside strategic sites are being met; the shortfall in the number of dwellings is a strategic issue and can only be remedied at the JCS level. Therefore it is necessary to include Cheltenham in the housing supply review.
- 2.11** Thirdly, by planning for a longer period it will be possible to leverage more investment into vital infrastructure. Significant highways works are needed to support future growth and by planning for longer periods of housing demand more money will be able to be secured upfront. In addition, progressing the JCS review helps to support bids to the Government for external funding to support major infrastructure proposals.
- 2.12** Fourthly, delivering enough sustainable development to meet needs requires cross border working with authorities outside of the JCS. Stroud and Wychavon in particular will require close cooperation on strategic issues including large scale developments. These authorities are already in the process of reviewing their plans with periods up to 2036 and beyond. It would therefore be advantageous to align with these plans as closely as possible to ensure complimentary development.
- 2.13** Finally, the revised NPPF has also made changes to numerous sections outside of those mentioned above. Those changes became a material consideration in planning decisions with immediate effect. It is therefore necessary and useful to use this review process to look again at all of the JCS policies to make sure they are fully consistent with the revised NPPF.
- 2.14** When all these factors are weighed together it is reasonable and necessary to undertake a full review of the existing JCS policies and not just the focused review required in the existing JCS.

3. Issues and Options

- 3.1** The 'Issues and Options' stage of plan making seeks to review and generate feedback on the key issues that are affecting the area and consider some of the options that are available to address them.
- 3.2** The consultation document, provided at Appendix 1, is structured around key themes. It identifies and asks key questions including the following:
- **Scope:** Given the changes to the NPPF and local circumstances in the JCS area, what should the scope of the review be?
 - **Timescale:** Over what timeframe should the review plan?
 - **Policies:** What are the strategic policies the JCS review plan for?
 - **Vision, aims, objectives and issues:** Using the adopted JCS as a starting point, are these still relevant? Are there any new issues the JCS review should consider?
 - **Spatial strategy options:** On the basis of the different options presented, how can the JCS authorities' best deliver for our future development needs?
 - **Homes:** There will be a need to plan for new homes and the starting point is the Government's standard housing calculation methodology. Is there justification for moving away from these

figures?

- **Economic development:** The JCS authorities are committed to economic growth. How can the JCS area best provide for the needs of different business sectors and a growing economy?
- **Retail and city / town centres:** Retail and city / town centres are going through a period of significant change – how can the JCS review best plan for its centres so that they remain vital and viable in the future?
- **Sites:** The consultation includes a ‘call for sites’ and developers, landowners and the wider community are invited to submit sites that they think could have potential for development. The document also discusses the possibility of known opportunities, including Ashchurch and West / North West Cheltenham, early work has started to consider the opportunities for these areas and these will be included as background documents and open for review as part of the Issues and Options consultation.
- **Infrastructure:** The provision of sufficient infrastructure is essential to support both existing and new communities and key to a successful local economy. What infrastructure needs does the JCS area review need to consider?

3.3 It is intended the consultation will launch early November 2018. Statutory consultation is 6 weeks, but recognising the timing of the Christmas holidays, this will be extended to 8 weeks. See Section 5 for further detail.

4. Alternative options considered

4.1 A review of the JCS is required to include at least the housing supply for Tewkesbury and Gloucester and retail / town centres for the whole area. This is a commitment of the adopted JCS and without it the JCS Inspector would have found the JCS to be unsound. Therefore an option to postpone a review process is not considered to be a reasonable alternative.

4.2 Undertaking a partial review only is also not considered to be reasonable given the requirements in the revised NPPF and the slower than expected delivery at some strategic allocations. Given the resources available it would not be feasible to conduct the partial review immediately and review other policies separately at a later date.

4.3 Despite the above it should be noted that this is an early stage consultation which is seeking input on the scale and content of a JCS review. Therefore opinions on alternative options will be welcomed.

5. Consultation and feedback

5.1 The consultation will take place in November and December 2018 for a period of at least 8 weeks. This will be undertaken in accordance with the Statements of Community Involvement of all three authorities and the relevant planning regulations. It is envisaged that consultation events will take place in each authority to help raise awareness of the consultation and to seek feedback. Press releases, social media channels and council websites will also be used. All relevant consultation bodies will be notified.

5.2 Due to recent changes to data protection legislation we cannot use any previous database of contacts. We will therefore be seeking our partners such as parish councils and other community leadership groups, stakeholders and councillors to raise awareness of the consultation.

5.3 The JCS Review will be subject to future consultation events as the plan progresses, prior to submission to the Secretary of State.

5.4 All personal data received will be managed in line with the new data protection regulations.

6. Performance management – monitoring and review

- 6.1** Responses received from this consultation will help inform the development of the JCS Review.
- 6.2** After adoption, the Council will regularly monitor the effectiveness of the Plan as part of the planning and development process and will use the results to review policies and practices if necessary. Any revisions to the Plan thereafter would need to be reflected by an amendment to the Local Development Scheme (LDS).
- 6.3** Performance against LDS milestones is monitored through the Authorities' Monitoring Reports (AMR) which are prepared at least annually.

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Appendices	<ol style="list-style-type: none"> 1. Draft Issues and Options report 2. Risk Assessment
Background information	None

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Retail review – impact on Cheltenham High Street if not completed in timely manner.	Tracey Crews	September 2018	4	2	8	Reduce	<p>Cross authority project team in place.</p> <p>Procurement well underway with team currently at shortlisting stage.</p> <p>Defined programme for delivery will be agreed with successful consultancy team.</p>	To be agreed with retail consultant once appointed.	John Rowley	
	JCS Plan review – if strategic 5-year supply issues are not appropriately addressed, then this may result in inappropriate sites being brought forward for development.	Tracey Crews	September 2018	4	4	16	Reduce	<p>Active programme management with full engagement of leaders and lead officers.</p> <p>Call for sites exercise underway</p> <p>Allocation of appropriate officer resource to ensure timely delivery</p>	In line with JCS programme	John Rowley	
	Partnership working – critical for success of the wider JCS plan including County Council and other Gloucestershire Councils under Duty to Cooperate.	Tracey Crews	September 2018	4	4	16	Reduce	<p>Continue to work under partnership basis.</p> <p>Programme management in place to quickly escalate</p>	Ongoing	John Rowley	

								and resolve issues		
<p>Note : The JCS programme holds a detailed risk assessment which is managed through Operational Programme Board and Strategic issues Board</p>										
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>										