
Cabinet

11 July 2023

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor D Welsh

Director approving submission of the report:

Director of Streetscene and Regulatory Services

Ward(s) affected:

All Wards

Title:

Local Plan Review Issues and Options (Regulation 18) Consultation

Is this a key decision?

Yes - the proposals are likely to have a significant impact on residents or businesses in two or more electoral wards in the City

Executive summary:

On 6th December 2022 Council resolved to adopt a new Local Development Scheme (LDS) and to undertake a full Local Plan review Approval to progress to the initial public consultation stage of the review process is now sought, this being the ‘regulation 18’ consultation phase, known as ‘issues and options’.

The Planning Policy team alongside relevant City Council teams have assessed the existing Local Plan policies, exploring these policies through ‘topic papers’ to be made available at public consultation stage, each assessment is summarised within the Issues and Option Consultation Document, which is now proposed for public consultation. The Issues and Options consultation document is contained in the appendices to this report, alongside the equalities impact assessment and environmental assessment / sustainability appraisal. The Issues and options consultation seeks views across the full range of local plan policies, within these matters the authority consults upon the methodology employed to establish local housing need, suggesting that the local housing need may be established with reference to the HEDNA, without the prescribed 35% urban uplift applied.

Following the initial consultation phase, work will then commence upon the drafting of proposed revisions to planning policy, informed by the findings of the regulation 18 consultation process. Authority is therefore sought to progress to this consultation phase to continue to progress the directed Local Plan review process.

A robust evidence base will be required to support the Local Plan review to ensure that the result is a robust planning policy framework that will shape future development of the city and deliver on the priorities of the One Coventry Plan. A further report will be brought to Cabinet setting out the financial request to develop the evidence base.

Recommendations:

Cabinet is requested to:

- (1) Approve the Local Plan Review Issues and Options (Regulation 18) Consultation document and associated Strategic Environmental Assessment / Sustainability Appraisal and Equalities / Health Impact Assessment for an 8-week consultation period to begin at the earliest opportunity.
- (2) Delegate authority to the Director of Streetscene and Regulatory Services, following consultation with the Cabinet Member for Housing and Communities, to make any non-substantive changes to the documents prior to consultation.

List of Appendices included:

The following appendices are attached to the report:

Appendix 1 – Issues and Options (Regulation 18) consultation document
Appendix 2 - Strategic Environmental Assessment / Sustainability Appraisal
Appendix 3 – Equalities and Health Impact Assessment

Background papers:

None

Other useful documents

- Adopted Local Plan 2017
- Adopted Coventry City Area Action Plan 2017
- Report to Cabinet and Council (15th November and 6th December 2023 respectively).
- Statement of Community Involvement 2021

Has it or will it be considered by Scrutiny?

The Issues and Options consultation will be presented to Scrutiny Board during the regulation 18 consultation phase, with findings reported within representations to further inform policy review.

Has it or will it be considered by any other Council Committee, Advisory Panel, or other body?

The Local Plan Cabinet Advisory Group has been engaged prior to the issues and options consultation phase and will continue to inform emerging policy direction.

Will this report go to Council?

No

Report title: Local Plan Review Issues and Options (Regulation 18) Consultation

1. Context (or background)

- 1.1 Local Plans should be considered for review at least once every five years, as laid out in Paragraph 33 of the National Planning Policy Framework:
“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”.
- 1.2 As the Local Plan was adopted in December 2017, Council approved the commencement of a full review of the Local Plan on 6th December 2022, to ensure that policies are up to date in line with changes to national policy and guidance, and that they also reflect more localised priorities. Members should note that the Coventry City Area Action Plan, was adopted alongside the Local Plan, and this will be incorporated in this review. Therefore, all references to ‘The Local Plan’, ‘The Plan’ and ‘Plan Review’ incorporate both documents.
- 1.3 Members should also be aware that, on 22nd December 2022, Government launched a consultation on forthcoming reform to the planning system. At the time of writing the outcomes of this have not been announced however the current adopted Local Development Scheme (LDS) (the Council’s project timeline for Local Plan review) enables the Council to proceed within the timeline for progressing plans under the current system, minimising risk, and uncertainty.
- 1.4 In terms of the way in which the plan review will be undertaken, it is a full review so each policy has been considered in turn, reflecting updated evidence, to see whether it is up to date, whether it might need minor change or whether more strategic change is required i.e., significant update to a policy or the potential introduction of new policy.
- 1.5 Council approved a ‘full review’ (i.e., of all policies) and not a new Local Plan, and the approach will therefore be proportionate in order to meet the challenging timelines in the LDS.
- 1.6 The final revised Local Plan might be re-ordered to reflect changed priorities, however because this is a first stage the consultation document (Appendix 1 to the report) follows the same structure as the adopted Plan, to help avoid confusion so people can see where the differences may occur.
- 1.7 Consultation will be undertaken in line with the adopted Statement of Community Involvement to ensure that individuals, communities, stakeholders, and other organisations have ample opportunity to engage through a variety of means. The established planning policy database will directly notify those registered at the launch of the public consultation.
- 1.8 The key issues being considered through the review of the plan are:
 - The reviewed policies will reflect the most up to date national planning policy (if they do not do so, the plan will be found unsound by a Planning Inspector)
 - The review and re-establishment of local housing need and supply
 - The reviewed policies will reflect the priorities of the One Coventry Plan 2022 – 2030
 - The reviewed policies will reflect the priorities of the Climate Change strategy (noting that this is currently at a draft stage and may be subject to change)
 - The reviewed policies will reflect the priorities of other Council strategies such as the recently adopted Transport Strategy for example, and discussions have been ongoing with a range of council departments in formulating this review – these are reflected in the suite of Topic Papers and other supporting evidence which have informed this stage of the review

- The reviewed policies will consider the outcomes of the updated evidence base
- 1.9 All comments received will be considered and policies updated to reflect feedback where appropriate, and if further evidence is identified as being needed this will be commissioned and obtained in order to ensure that proposals are robust and will stand up to independent scrutiny.
 - 1.10 Once the reviewed policies (and any potential new policies) are completed, the Council will need to publish these in a 'Proposed Submission' (Regulation 19) document which will be the subject of consultation before it is submitted to the Planning Inspectorate for Examination in Public.
 - 1.11 To address the above and inform the review of the plan a further report will be brought to Cabinet in due course, setting out the financial request to develop the evidence base. The evidence base will be critical to supporting the case presented to the planning inspectorate for an ambitious revised planning policies which will inform assessment of proposed development in the city through the plan period. At later stages of the review process, draft local planning policy will be consulted upon which aim to support Coventry's journey to net zero, tackling inequalities and improve outcomes for our communities, alongside economic prosperity of our city and region, as set out in the One Coventry Plan priorities.

2. Options considered and recommended proposal

- 2.1 The Cabinet could choose to not progress with the consultation, however, this would not address the need to review the Local Plan or be in accordance with the published Local Development Scheme and as such this option is not recommended.
- 2.2 The Cabinet could choose to instruct officers to amend the consultation documents and supporting information. However, these have been prepared to respond appropriately to council priorities and up to date evidence, and this would cause delays which may mean not achieving the plan programme in line with the published Local Development Scheme.
- 2.3 The Cabinet could approve the Issues and Options consultation document and associated Strategic Environmental Assessment / Sustainability Appraisal and Equalities / Health Impact Assessment for an 8-week consultation to begin at the earliest opportunity.. This option is recommended.

3. Results of consultation undertaken

- 3.1 The consultation outcomes will be reported to a future meeting of Cabinet, with recommendations for the next stage of the plan review process

4. Timetable for implementing this decision

- 4.1. At the earliest opportunity further to decision.

5. Comments from Chief Operating Officer (Section 151 Officer) and Chief Legal Officer

5.1. Financial Implications

Whilst there are no direct financial impacts of the Regulation 18 consultation stage, ultimately the Local Plan review must be supported by robust evidence which will need to be commissioned, alongside which at later stages of the Plan Review, it is the legal responsibility

of the Council to meet the costs of the Examination inclusive of the appointment of a Programme Officer.

The anticipated evidence base and enquiry costs will be outlined in separate reports to follow.

5.2. Legal Implications

Local Authorities are required by legislation to prepare a Local Plan to set the local planning framework for their area. There is also a need to ensure the plan is up to date through a review of the Plan. Failure to have an up-to-date local plan in place limits the Council's ability to influence the quantum, location and quality of development in its area.

There are no direct implications as a result of this report. The process for preparing a Local Plan is contained within the Planning and Compulsory Purchase Act 2004, Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012.

6. Other implications

6.1. How will this contribute to the One Coventry Plan (<https://www.coventry.gov.uk/strategies-plans-policies/one-coventry-plan>)?

A reviewed Local Plan will enable the corporate priorities to be reflected as they are set out in the One Coventry Plan 2022 - 2030.

6.2. How is risk being managed?

There is a risk that the reviewed policies could be found unsound by a Planning Inspector, however this is minimised by producing a thorough evidence base and having undertaken extensive consultation prior to submission of the plan.

6.3. What is the impact on the organisation?

No direct impact from having additional planning policies.

6.4. Equalities / EIA?

A full Equality and Impact Assessment (EqIA) was undertaken as part of developing the Local Plan. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010) (Appendix 3 to the report).

6.5. Implications for (or impact on) climate change and the environment?

The Issues and Options consultation paper has been developed in conjunction with the climate change team, who will continue to be engaged in future plan review stages.

6.6. Implications for partner organisations?

None

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