

Thursday, 08 September 2022

## Report of the Portfolio Holder for Skills, Planning, Economy & Waste

### Local Plan Issues and Options Consultation

#### Exempt Information

None.

#### Purpose

To seek Cabinet approval to launch an issues and options consultation as part of the development of the new local plan for Tamworth.

#### Recommendations

It is recommended that:

1. Cabinet approve the launch of the issues and options public consultation based on the document set out in Appendix A; and
2. Cabinet delegate authority to the Assistant Director – Growth and Regeneration to make any final typographical and formatting amendments to the document prior to publication.

#### Executive Summary

Progress on the new local plan for Tamworth has now reached the stage where it is intended to run the first of a number of public consultations to seek input from local residents and other stakeholders. The document in Appendix A has been written by planning officers in consultation with a cross-party working group of councillors, and sets out the issues that the new plan will need to address and, where appropriate, potential options for achieving that.

It is intended to publish a version of the document in Appendix A (subject to final formatting and typographical amendments) for consultation for a period of approximately seven weeks during September and October 2022. Feedback received through the consultation exercise will then be used to inform the next stage of the plan making process.

The document has been reviewed by the Infrastructure, Safety, and Growth Scrutiny Committee and has been amended according to the feedback received where appropriate.

#### Options Considered

The possible alternatives to the proposed approach are either to not carry out the public consultation; to carry out the public consultation at a later date; or to carry out the public consultation based on different proposals to those set out in Appendix A.

The consultation forms an important part of the early stages of the development of the new local plan for Tamworth and is required by the relevant regulations, as set out later in this report. Without undertaking the public consultation, the Council would be unable to progress to the next stage of development of the plan. Similarly, if the public consultation were to be delayed, the timetable for the development of the new plan would be affected and the adoption of the new plan could be significantly delayed.

The document in Appendix A was drafted by officers based on available evidence, current national planning policy and guidance, and the Council's corporate plan vision and

objectives. The proposals within it have been drawn up by officers in consultation with a cross-party working group of members and so are considered to be the most appropriate option at this time.

### **Resource Implications**

The consultation will be open to the general public as well as other stakeholders including neighbouring councils, landowners, and developers. It will be publicised so as to attract the best possible response, as any input at this stage will be valuable for the next stage of production of the plan. This could potentially draw a significant number of responses, and each response will need to be appropriately processed. An amount of additional officer time may therefore be required to carry out the work.

A review of existing resources is currently underway, taking into account the whole local plan timetable including this consultation stage. If additional resource requirements are identified, the appropriate procurement and budget setting processes will be followed.

With regards to the new plan itself, whilst at this time it would not be possible to quantify the potential financial costs and benefits, it is possible that there would be additional income to the Council associated with the Community Infrastructure Levy or other infrastructure payments. There may also be additional business rates income from economic growth and additional council tax income from new housing, however there will also be potential additional funding pressures from additional service demands arising from new development.

### **Legal/Risk Implications Background**

The relevant regulations to the actions proposed are the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Regulation 18 of those regulations states that a local planning authority must notify certain consultation bodies of the subject of a local plan which the local planning authority propose to prepare, and invite them to make representations about what that plan ought to contain. Any representations made should then be taken into

The consultation bodies referred to are:

- such of the “specific consultation bodies” listed in the regulations as the local planning authority consider may have an interest in the subject of the proposed local plan;
- such of the “general consultation bodies” listed in the regulations as the local planning authority consider appropriate; and
- such residents or other persons carrying on business in the local planning authority’s area from which the local planning authority consider it appropriate to invite representations.

The full list of “specific consultation bodies” is set out in regulation 2 of the above regulations and contains such bodies as the Coal Authority, the Environment Agency and Natural England. The full list of “general consultation bodies” is also set out within regulation 2 and contains such bodies as voluntary groups whose activities benefit any part of the local planning authority’s area, and bodies which represent the interests of persons carrying on business in the local planning authority’s area.

The consultation exercise proposed is therefore required by legislation as part of the plan making process. Failure to carry out an appropriate consultation, and take account of the responses received, could potentially lead to any proposed new local plan not being found sound at examination, or being open to legal challenge. In both instances there would be a financial implication for the Council as a result of having to redo some parts of the process in order to make sure the plan was compliant with the regulations. It could also lead to the Council not having an adopted local plan in place to guide development of the borough.

### **Equalities Implications**

There are no direct equalities implications resulting from the proposals set out in this report. The consultation document contains broad proposals that may form the basis of policies that

are eventually adopted by the Council. At this stage it is not possible to properly assess any impact as the proposals are not clearly defined. At each appropriate stage later in the plan making process, an equalities impact assessment will be carried out to ensure compliance with the Equality Act 2010 and the Council's own policies on diversity and equality.

### **Environment and Sustainability Implications (including climate change)**

There are no direct sustainability implications resulting from the proposals set out in this report.

With regard to the wider development of a new local plan, the National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development and the need for sustainable economic growth on which local plans are to be based and includes clear policies that guide how the presumption should be applied locally. Sustainability is therefore at the heart of plan making and will be appropriately assessed at each stage of the process.

### **Background Information**

At the meeting of 19 March 2020, Cabinet resolved to begin work on a new local plan for Tamworth. The process of developing a new local plan involves a number of stages, ending with an independent examination by a Planning Inspector and, ultimately, the adoption of the plan by the Council.

Work has begun on collecting evidence and to establish the potential issues faced by the borough over approximately the next 20 years. Work is also underway to consider the possible options open to the Council for addressing the identified issues through the new local plan. This work forms the basis of the draft Issues and Options consultation document in Appendix A. Although the document is currently in a rough draft form, the fundamentals of the proposals are included, and the formatting will be finalised prior to the consultation being launched.

The document has been developed by planning officers in consultation with members through a cross-party working group. It is intended to put the finalised version of this document out to public consultation for a period of approximately seven weeks to gather the views of the public and other stakeholders to help develop the next stages of the new local plan.

Further information on the timeline for the development of the plan is included in the Council's Local Development Scheme, an updated version of which is also being considered (under a separate report) at this meeting.

A draft of the consultation document was considered by the Infrastructure, Safety, and Growth Scrutiny Committee at the meeting of 23 August 2022. The committee made a number of suggestions for amendments to the document and those changes have been incorporated into a revised draft where appropriate. The changes include additional wording being included in section 6.2.6 to clarify that the additional policy approach relating Gypsy and Traveller provision relates only to permanent residential sites and not to provision for groups who want to stop in the area only temporarily. Section 6.1.3 has also been updated to include the protection of existing biodiversity (including hedgerows), not just the 10% net gain requirement.

### **Report Author**

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### **List of Background Papers**

19 March 2020 - Report of the Portfolio Holder for Regulatory & Community Safety – Local Plan Review

**Appendices**

Appendix A – Draft Issues and Options Consultation Document