Executive Report
Report of the Executive Head of Development
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Draft Guildford borough Local Plan: strategy and Sites for Consultation

Executive Summary:
The draft Local Plan: strategy and sites (“the draft Local Plan”) sets out the spatial development strategy to provide a framework for development across the borough over the plan period up to 2031. The borough wide spatial strategy sets out the level and location of development based on an evaluation of our objectively assessed need identified by the Evidence Base for 13,040 new homes and up to 29 hectares of employment land. The draft Local Plan is also concerned with the protection and enhancement of our environment, economic development, leisure and visitors, provision of infrastructure including green and blue infrastructure, and making provision for sustainable transport across the borough. We intend to consult on the draft Local Plan in the summer. We will review all comments and representations made during the consultation process to ensure that the Local Plan that we submit to the Secretary of State is sound.

The draft Local Plan (Appendix 1 – please see: http://www.guildford.gov.uk/media/16966/Item-32---Appendix-2-Draft-Local-Planpdf/pdf/pdf214_1.pdf, which was provided as part of the papers for the Joint Scrutiny Committee on 15 May 2014) is structured around the five central themes of the Corporate Plan. Policies are grouped in terms of Infrastructure, Economy, Development, Sustainability and Society.

We have revised the Local Development Scheme (LDS) (Appendix 2) to accurately reflect the likely timetable for the production of the Local Plan. This has proved necessary due to the need to undertake additional engagement in relation to the Evidence Base. The LDS explains that the Local Plan will be produced in two parts with the first part dealing with strategy and sites and the second part dealing with delivering development.

The draft Local Plan has been subject to examination by the Joint Scrutiny Committee. Changes arising out of suggestions by the Joint Scrutiny Committee to the draft Local Plan are detailed in a schedule attached to this report at (Appendix 3) and suggestions made by the Joint Scrutiny Committee together with the officer response are included within (Appendix 4) to this report.
1. **Purpose of report**

1.1 The purpose of this report is to present to the Executive a draft Guildford borough Local Plan and to invite Executive to agree such recommendations as may be considered appropriate to ensure that the Local Plan is fit for public consultation. This report also seeks the endorsement of the revised Local Development Scheme that sets out an amended timetable for the production of both parts of the Local Plan and the delivery of the Community Infrastructure Levy.

2. **Strategic Priorities**

2.1 The production of the draft Local Plan helps to meet other strategic priorities identified in the Corporate Plan such as sustainable development; Community Infrastructure Levy (CIL); regeneration, tourism; growth and employment; and enhancing the quality of life of local residents through access to good quality housing within the theme of Society. Additionally the production of a new Local Plan is one of the Corporate Plan strategic priorities within the theme of Development.

3. **Background**

3.1 We adopted the current Guildford Borough Local Plan in 2003. Policies from the 2003 Local Plan saved for future use in determining planning applications. We have carried out a significant amount of work to ensure that we have a relevant and up to date Evidence Base. Following significant changes in

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**Recommendation:**

The Executive is asked

i) To consider and agree the schedule of proposed changes to the draft Guildford borough Local Plan: strategy and sites (Appendix 3) – (please see http://www.guildford.gov.uk/media/16966/Item-32---Appendix-2-Draft-Local-Planpdf/pdf/pdf214_1.pdf which was provided as part of the papers for the Joint Scrutiny Committee on 15 May 2014)

ii) to endorse the revised Local Development Scheme (Appendix 2).

iii) to agree that the draft Guildford borough Local Plan incorporating any changes recommended by the Executive is put before Full Council on 19 June 2014 for approval for consultation in line with timetable in the revised Local Development Scheme.

**Reason for Recommendations**

To allow the draft Local Plan to progress to full Council for approval for consultation in line with the timetable prescribed in the revised Local Development Scheme.
guidance and legislation, we need an up to date Local Plan to ensure that we are able to plan properly for the borough over the plan period up to 2031. An up to date Local Plan will also provide certainty for our communities, business and developers. As the extant policies from the Local Plan 2003 continue to age they will carry less weight in determining planning applications which is another reason why we need an up to date Local Plan.

3.2 The Planning and Compulsory Purchase Act in 2004 requires us to set out our plans to shape the future development of the borough. The Localism Act 2011 changed the background to the production of development plans as it set in train the abolition of the Regional Spatial Strategy, introduced a new Duty to Cooperate, revised the Community Infrastructure Levy and introduced Neighbourhood Planning powers all of which have impacted on the production of the draft Local Plan.

3.3 The publication of the National Planning Policy Framework (NPPF) in 2012 replaced a raft of previous Planning Policy Statements and Planning Policy Guidance notes and signalled a shift in emphasis towards a presumption in favour of sustainable development. The National Planning Practice Guidance (NPPG) was published in March 2014 to consolidate previous guidance about how the NPPF should be implemented. Both of these have helped shape the draft Local Plan.

3.4 The Local Plan will cover a period from 2011 up to 2031. We are approaching the production of our draft Guildford borough Local Plan in two separate stages. The first stage looks at the strategy and sites to guide how the borough will change and develop over the plan period up to 2031. The draft Local Plan will set out the borough wide spatial development strategy including the level and location of development. It will also allocate strategic sites and locations for growth as well as offering high level guidance on such important matters as economic development and jobs, provision of housing for all, and protection and enhancement of the environment over the plan period.

3.5 The second stage of the Local Plan will be concerned with the production of development control policies and will be known as the Delivering Development document. The timetable for the production of both stages is included in the revised Local Development Scheme (Appendix 2).

3.6 There were over 20,000 separate representations made by over 5,000 individuals and organisations in response to the Strategy and Sites Issues and Options consultation. These have helped inform the development of the policies in the draft Local Plan.

3.7 The Local Development Scheme (LDS) (Appendix 2) outlines the timetable that governs the production of the Local Plan and the Community Infrastructure Levy. Progress against the current LDS has slipped and therefore we felt that it would be appropriate to publish a revised timetable setting out clearly the revised milestones we expect to achieve in the production of the Local Plan.

4. Draft Local Plan

4.1 We have based the draft Local Plan: around the five themes of the Corporate Plan with the addition of two strategic policies that deal with overarching
issues relating to sustainable development and the spatial strategy. Changes to the draft Local Plan arising from examination by the Joint Scrutiny Committee will be incorporated into the draft Local Plan and are detailed in a schedule attached to this report at (Appendix 3).

5. **Local Plan process**

5.1 We are about a third of the way through the plan preparation process and the production of the draft Local Plan. This is the first formal opportunity to comment on the recommended strategy for guiding development across the borough over the plan period up to 2031. Diagram A illustrates where in the process we are at currently.

Diagram A – Local Plan process

5.2 We are intending to run a 12 week consultation process to allow the community to comment on the draft Local Plan. We will review all the comments and representations that are made during this process. When reviewing the comments made on the draft Local Plan we will also take into account those comments made after the closure of the consultation on the Issues and Options before the start of consultation on the draft Local Plan. We will then produce a Submission Draft Guildford borough Local Plan: Strategy and sites. (“The Submission Draft”)
5.3 The Submission Draft will also be subject to a consultation process after which all comments submitted are forwarded to the Secretary of State for consideration by the Planning Inspectorate alongside the draft Plan. A Local Plan Inquiry will follow afterwards allowing an opportunity for invited participants to have a final opportunity to comment on the Plan. The Planning Inspectorate will be looking to determine if the Plan is sound. This means that the Plan should be:

- positively prepared – based on a strategy to meet our objectively assessed development and infrastructure needs
- justified – the plan should be the most appropriate strategy when considered against reasonable alternatives based on proportionate evidence;
- effective – the plan should be deliverable over the plan period up to 2031 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 of the Framework.

5.4 The Joint Scrutiny Committee scrutinised the draft Local Plan at the meeting of the Joint Committee on 15 May. The minutes of this meeting highlighted additional work and further explanations that the Joint meeting of the Scrutiny Committee wished to see completed or provided. Appendix 3 to this report details the Scrutiny recommendations and the proposed changes to the draft Local Plan.

6. **Topic Papers – explanation of role**

6.1 We intend to produce a series of topic papers to explain in more detail how we have produced the policies in the draft Local Plan. We will produce topic papers on housing, Green Belt, infrastructure, retail, climate change and sustainability, economy, Duty to Cooperate and the Town Centre Vision. Other Topic Papers may also be produced to explain how issues such as Tourism have been treated in the draft Local Plan.

6.2 Topic Papers will provide background information and will not have any policies, proposals or site allocations made within them. Officers are working on the production of the Topic Papers. We anticipate that the first three Topic Papers on Housing, Green Belt and Infrastructure will be produced before the consultation on the draft Local Plan commences in July with the other Papers following on afterwards.

7. **Next Steps**

7.1 There are a number of steps we need to follow in order to allow the draft Local Plan to go out to consultation over the summer. We are producing a communications strategy to guide how we manage the messages that need to be understood about the Local Plan. We are also producing a Local Plan Consultation Strategy that will set out the activities that we will undertake in order to consult as widely and effectively as possible. We now have a dedicated public relations resource devoted to looking after the development of the Communications Strategy and who will be helping to guide
development of the Consultation Strategy. We will also be seeking additional consultancy support to carry out the Consultation Strategy. This will allow Officers to concentrate on actual consultation rather than the organisation of the Consultation process itself.

7.2 Central to this Communication strategy will be our hub at Swan Lane where there will be an officer presence during the consultation. We will also hold a series of exhibitions and workshops across the borough during the consultation period to allow the community to engage fully in the Local Plan process. A full consultation strategy will be produced in line with our Community Involvement in Planning Statement of Community Involvement (SCI).

7.3 We have also recently commissioned Allies and Morrison to produce a Vision for Guildford Town Centre. This will build on the policies in the draft Local Plan and will form the basis for a Town Centre Vision Supplementary Planning Document. (See also paragraph 6.1 above.)

7.4 The determination of the housing number continues to represent a real challenge to our community and this Council. We will continue to interrogate the number for inclusion in the Submission Draft of the Local Plan basing this on a continual review of the Evidence Base ensuring that we use the most up to date data and statistics available.

8. Financial Implications

8.1 The Local Plan budget may require additional resources to ensure that the draft Local Plan continues to develop in line with the timetable in the Local Development Scheme.

8.2 Expenditure on Local Plan issues is likely to continue to grow over the next 18 months particularly with regard to the need to pay for the Local Plan Inquiry, costs of which could exceed £100,000. Items such as this are already included in the Local Plan Budget for this year and will be included going forward.

8.3 Since 2009, the Council has spent £1.3 million on developing the draft local plan. There is a budget of £350,000 for 2014/15 to ensure that the draft Local Plan continues to develop in line with the timetable in the Local Development Scheme (See Appendix 1). Significant costs are expected within the next 18 months, particularly with regard to the need to pay for the Local Plan Inquiry, current indications are that the budget for 2014/15 will need to rise by approximately £100,000 to accommodate an inquiry and other costs such as a potential judicial review. We have initially established a budget of £295,000 for 2015/16 and £75,000 for 2016/17 to support the development of the development control framework that will underpin the Local Plan.

9. Legal Implications

9.1 The draft Local Plan will be eventually examined for soundness after submission to the Secretary of State. There are various potential risks to the plan being found sound, and it may be vulnerable to a legal challenge by way
of judicial review on grounds such as procedural defect or flaw, or failure to take into account any relevant material consideration.

9.2 In either case, it is essential that we can show that we have observed the procedural steps and requirements set out in the relevant regulations. These include not only the Town and Country Planning (Local Planning) (England) Regulations 2012, but also the Environmental Assessment of Plans and Programme Regulations 2004 and possibly also the Conservation of Habitats and Species Regulations 2010 (as amended).

9.3 We will need to show that we have observed the current NPPF and the newer NPPG, as well as creating and maintaining an up to date and proportionate evidence base to inform its policy decisions. The evidence base includes the documents that show objectively assessed need within the borough. The NPPF makes it clear that one of the Government’s objectives is to boost significantly the supply of housing. Without a housing target that the Planning Inspector considers satisfactory, it is unlikely that the draft Local Plan would be found sound.

9.4 Until we have adopted an up to date Local Plan, Saved Policies from the 2003 Local Plan will carry diminishing weight, as it will be increasingly out of date. There is also a risk that we would lose control over planning in the borough and that applications would be determined by appeal. Inspectors would apply the presumption in favour of sustainable development set out in NPPF paragraph 14 that will supercede local concerns, unless there are significant adverse impacts as provided in the NPPF.

9.5 This report brings the draft Local Plan to the Executive for consideration and comment from members. After their response, and any recommendations to the Head of Planning Services, Full Council will consider the draft Local Plan on 19 June for approval. Once Councillors have approved it it will be formally published ready for the next round of Public Consultation under the 2012 Regulations mentioned above.

9.6 Plan making under the Planning and Compulsory Purchase Act 2004 (as amended) is an iterative process. There are alternating phases for technical and democratic input, and the Plan document will inevitably be re-visited a number of times to take into account the representations made, before it can be finalised, examined and adopted for use in managing development within the Borough in the long term.

10. Human Resource Implications

Additional resources will be required to ensure that the Consultation Strategy is implemented fully and to allow for the responses to the draft Guildford borough Local Plan: strategy and sites to be dealt with in a timely manner.

11. Conclusions

11.1 The draft Local Plan sets out the overall development framework for the borough to accommodate our objectively assessed level of need for development. We have structured the draft Local Plan around the central
themes of the Corporate Plan and shows that we have adopted these themes throughout the whole of the Council’s policy and strategy approach.

11.2 The draft Local Plan is intended to be fit for public consultation as per the Town and Country Planning (Local Plan) (England) Regulations 2012 and has been produced in conformity with the National Planning Policy Framework and the National Planning Practice Guidance. The draft Plan is backed up by a raft of evidence that has supported the development of policy. The Evidence Base will continue to develop until the plan is submitted to the Secretary of State and we will keep it up to date thereafter to ensure that it remains relevant.

11.3 The process of review carried out by the Joint Scrutiny Committee has proved valuable in ensuring that the draft Local Plan is made fit for purpose. The suggestions made by the Joint Scrutiny Committee and the officer response are detailed in Appendix 4. Changes have been made to the draft Local Plan and a schedule of these changes can be found at Appendix 3.

12 Background papers

Local Plan Strategy and Sites Issues and Options (Regulation 18) October 2013
Town and Country Planning (Local Planning) (England) Regulations 2012
National Planning Policy Framework
National Planning Practice Guidance

13. Appendices

Appendix 1 - Draft Local Plan (Included in previous papers issued to all Councillors prior to the meeting of the Joint Scrutiny Committee held on 15 May 2014)
Appendix 2a - Local Development Scheme
Appendix 2b - Sub-Appendix 1 - Local Development Scheme Timetable
Appendix 3 - Schedule of changes to the Draft Local Plan
Appendix 4a - Joint Scrutiny Committee Resolutions and Officer’s Response
Appendix 4b - Sub Appendix A Joint Scrutiny Committee Resolution 8