

Report to: **Annual Council**
Date: **17 May 2018**
Title: **Joint Local Plan Main Modifications Consultation**
Portfolio Area: **Customer First**
Wards Affected: **All**
Relevant Scrutiny Committee: Overview and Scrutiny Panel

Urgent Decision: **Y** Approval and clearance obtained: **Y**

Date next steps can be taken: Immediately following this meeting

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Recommendation:

That the Council delegates authority to the Head of Paid Service, in consultation with the Leader of the Council and Joint Local Plan Joint Steering Group Members to authorise the final version of the Joint Local Plan for consultation.

1. Executive summary

- 1.1 The JLP Hearings concluded in March 2018.
- 1.2 The JLP Inspectors have advised that they will issue, before the end of June, an Interim Report.
- 1.3 The Interim Report will direct the three Councils with respect to modifications to the plan that are necessary to make it sound.
- 1.4 Any modifications that are considered to be 'main modifications' will need to be the subject of a formal, public consultation. Prior to consultation the proposed main modifications will need to be approved by all three Councils.
- 1.5 The first Full Council Meeting at which the main modifications could be considered is 26th July. To avoid delay in the adoption of the JLP

it is requested that Council grants delegated authority to the Head of Paid Service, in consultation with the Leader and JLP Joint Steering Group Members, to authorise the final version of the Joint Local Plan for consultation.

2. Background

- 2.1 The JLP has reached an advanced stage in its preparation. Before the plan can be adopted it will be necessary to consult publicly with respect to main modifications.
- 2.2 During the Hearings the Councils submitted a number of proposed main modifications to the Inspectors. The full details are attached as Appendix 1. Other, 'non main' modifications are, for completeness, provided as Appendix 2. The latter will be included in a revised version of the plan, but will not be the subject of consultation.
- 2.3 It is anticipated that the majority of necessary main modifications are covered by the proposed modifications in Appendix 1. It is possible, however, that the Inspectors will require other main modifications, but Officers cannot at this time state with certainty what these will be.
- 2.4 Following receipt of the Interim Report the JLP will be revised to include all necessary main modifications and will then be the subject of formal consultation. Following this six week period the Councils will collate and forward to the Inspectors any representations made during the consultation period. The Inspectors will consider the representations before issuing a final report.
- 2.5 Following receipt of the final report the Councils will be able to proceed to adoption of the plan unless further significant matters arise during the final stages of consultation and consideration by the Inspectors.

3. Outcomes /outputs

- 3.1 If agreed, the resolution will allow timely progress of the JLP.
- 3.2 Once adopted, the JLP will establish a 5 year housing land supply for South Hams and will be used to inform decisions on planning applications in South Hams District, West Devon Borough and Plymouth City.

4. Options available and consideration of risk

- 4.1 The risk exists that the Inspectors' Interim Report will include measures that require significant changes to the JLP that have not been considered by all Councillors. To mitigate this risk it is suggested that any significantly affected Ward Members are consulted prior to signing off the revised JLP.
- 4.2 One alternative is to present the revised JLP to Full Council on 26th July; a second alternative is to convene a Special Full Council. Either option would delay adoption of the JLP.
- 4.3 Delayed adoption of the JLP would prolong the period of time where South Hams cannot demonstrate a 5 year housing land supply. The absence of a demonstrable 5YHLS means that some policies in the development plan that would ordinarily restrict development do not have full weight in planning decisions.

5. Proposed Way Forward

- 5.1 It is recommended that the Council delegates authority to the Head of Paid Service, in consultation with the Leader and JLP Joint Steering Group Members, to authorise the final version of the Joint Local Plan for consultation.

6. Implications

| Implications | Relevant to proposals Y/N | Details and proposed measures to address |
|----------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Legal/Governance | | The Council is required to update planning policies on a regular basis. Failure to update planning policy in a timely manner can result in policies not being given full weight in planning decisions |
| Financial | | There are no financial implications. |
| Risk | | See section 4, above. |
| Comprehensive Impact Assessment Implications | | |
| Equality and Diversity | | The JLP has considered and assessed Equality and Diversity implications as part of its background evidence. |
| Safeguarding | | None. |
| Community Safety, Crime and Disorder | | No direct implications. |
| Health, Safety and Wellbeing | | Positive outcomes are anticipated from adoption of the JLP |
| Other | | |

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|--------------|--|------|
| implications | | None |
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Supporting Information

Appendices:

Appendix 1: Main Modifications

Appendix 2: Other Modifications