

TEWKESBURY BOROUGH COUNCIL

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| Report to: | Executive Committee |
| Date of Meeting: | 9 November 2023 |
| Subject: | Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan – Public Consultation (Regulation 18) |
| Report of: | Interim Planning Policy Manager |
| Head of Service/Director: | Associate Director: Planning |
| Lead Member: | Lead Member for Built Environment |
| Number of Appendices: | 1 |

Executive Summary:

In July 2023, Cheltenham, Gloucester and Tewkesbury Councils resolved to work together to prepare a single Strategic and Local Plan (SLP). This will replace the existing Joint Core Strategy (JCS) and district local plans. At this formative stage in the process, the task is to undertake public consultation on broad spatial options and policy issues in line with Regulation 18 of the relevant legislation. The statutory purpose of the consultation is to ask people what they think the Plan should contain and help inform emerging priorities. No policy or site allocation proposals are therefore being put forward at this stage. That will follow at a subsequent step in the Regulation 18 process in early 2025.

In summary, the consultation document contains a draft Vision and Strategic Objectives and poses a number of questions around options for addressing climate change and nature recovery, the amount and location of future housing and economic development, Gypsy and Traveller Accommodation, retail and town centres and infrastructure.

It is being proposed to publish the document and invite comment from our various communities, the development industry, infrastructure/service providers and others with an interest in growth for a period of not less than eight weeks commencing in December 2023. This will allow for the consultation spanning the Christmas period.

Recommendation:

That it be RECOMMENDED TO COUNCIL:

- 1. That the Strategic and Local Plan Consultation Document (Appendix 1) be approved for consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.**
- 2. That authority be delegated to the Associate Director: Planning, in consultation with the Lead Member for Built Environment, to prepare diagrams illustrating the general location of development options for inclusion in the consultation document, and to make any other necessary minor amendments, corrections and additions to the document prior to publication for consultation.**

Financial Implications:

A budget of £220k per year per district council (Cheltenham, Gloucester and Tewkesbury) was agreed earlier in the year after work was commissioned to evaluate the resources needed to produce the next strategic and local plan. Consultation activities are included within this overall budget.

Legal Implications:

In preparing a local plan, under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, a local planning authority must notify:

- consultation bodies that may have an interest in the subject of the proposed local plan/as the local planning authority considers appropriate; and
- such residents and other persons carrying on business in the local planning authority's area which it considers appropriate to invite representations

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.

The local planning authority must take into account any representations made to them in response to those invitations and may carry out more than one Regulation 18 consultation in preparing a local plan. 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.

Under section 19(3) of the Planning and Compulsory Purchase Act 2004 in preparing the local plan the authority must also comply with their statement of community involvement.

Environmental and Sustainability Implications:

The SLP will be a plan to meet development needs in a way which achieves sustainable development, including addressing the causes of climate change, mitigating its effects and promoting nature recovery. The SLP will also include policies to safeguard against other environmental effects of development. All local plans are required to be informed throughout their preparation by a Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment. A draft SA report has been prepared to inform this Regulation 18 stage, including evaluating the likely sustainability effects of the draft vision, objectives, and spatial options.

The emerging Plan is also required to be accompanied by a Habitats Regulations Assessment (HRA) to ensure adverse impacts on international habitats sites are avoided or, where this is not possible, effectively mitigated. A draft HRA has similarly been prepared to inform this Regulation 18 stage.

Both documents will be available to view online. This is an iterative process and future versions will inform decision making on the emerging Plan as the SLP progresses.

Resource Implications (including impact on equalities):

The SLP is being progressed by Officers across the Planning Policy teams in Cheltenham, Gloucester and Tewkesbury and resourced in part by an agreed joint budget. At later stages, the emerging SLP will be accompanied by Equalities and Health Impact Assessments

Safeguarding Implications:

None

Impact on the Customer:

Public consultation will be designed in a way which will most effectively include Tewkesbury's communities in line with the adopted Statement of Community Involvement.

1.0 INTRODUCTION

- 1.1** In July 2023, Tewkesbury Borough Council approved a Local Development Scheme (LDS) for the preparation of a new Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan (SLP). Around the same time, Cheltenham Borough Council and Gloucester City Council approved a similar LDS, supporting the progression of the SLP.
- 1.2** The SLP will set out the strategic development strategy; development requirements (for example new homes and jobs); cross-boundary strategic and other policies where there is value in a consistent approach; and 'locality policies', which address issues and opportunities of only local significance.
- 1.3** Once adopted, the SLP will supersede the adopted Joint Core Strategy (JCS), Tewkesbury Borough Plan, the district plans for Cheltenham Borough and Gloucester City Councils and any saved policies, in their entirety.
- 1.4** The purpose of this report is to seek approval from Council to hold the first full consultation on the emerging SLP.

2.0 REGULATION 18 CONSULTATION

- 2.1** At this early stage, the purpose of the consultation is to:
- Introduce the concept of the SLP, the timeframe it should cover and explore the issues the SLP should seek to address.
 - Present and consult on a draft Vision and draft Strategic Objectives, drawing on existing plans and council priorities, strategies and commitments.
 - Explore what will constitute a 'strategic matter' where a single cross-authority policy approach is necessary or desirable, and what are local matters relevant to individual councils or localities only.
 - Consider how the SLP can deliver the legal requirement to adapt and mitigate the implications of climate change, and testing how the statutory development plan can be used to drive action.
 - Consider how much development, such as new homes, retail, employment and infrastructure the SLP should plan for.
 - Consider the alternative options for meeting development needs in ways that deliver genuinely sustainable development, drawing on an updated understanding of the capacity of the main urban areas to accommodate development on brownfield and other sites. To this end, six growth 'scenarios' are identified in the draft document.
- 2.2** At this formative stage in the process, the statutory purpose of a Regulation 18 consultation is to ask people what they think the Plan should contain and help inform emerging priorities. Accordingly, the consultation document relies on emerging evidence, some of which is new and some updating on that of the JCS. Evidence preparation is an ongoing workstream and will be informed by the findings of the Regulation 18 consultation.

- 2.3** Once approved by all three SLP authorities, consultation will commence. This will be undertaken in accordance with each council's adopted Statement of Community Involvement (SCI). Tewkesbury Borough Council adopted a new SCI in March 2022. The consultation will be framed around a series of key questions, supported by events and consultation methods appropriate to the scope of the consultation. It is being proposed to publish the document and invite comment from our various communities, the development industry, infrastructure/service providers and others with an interest in growth for a period of not less than 8 weeks commencing in December 2023. Whilst consultations typically run for a 6 week period, the extended deadline would take into account the intervening Christmas period.
- 2.4** The consultation document will be accompanied by an emerging evidence base. This will include the Housing and Economic Land Availability Assessment (HELAA) which Government requires local planning authorities to maintain. The HELAA is a preliminary assessment, including mapping, of individual sites which have been submitted to the Council for consideration as development options. The consultation document itself will include various diagrams derived from the HELAA, illustrating broadly the various potential development locations being promoted to the councils which would be associated with each of the six growth scenarios. The graphic design work in drawing up these diagrams is currently underway and will be shared with members prior to the consultation launch. It is important to note, however, that the inclusion of land on any accompanying maps or diagrams does not mean it is to be regarded as suitable or even available for development; nor that it will be supported by the local planning authorities. Decisions on preferred options for any sites and locations will only emerge at later stages in the plan-making process (as set out below).
- 2.5** The adopted LDS identifies the intended programme for the preparation of the SLP. Following the consultation which is being proposed in this report, focus will turn to the preparation of a Draft Preferred Options SLP which will include a draft strategy, site allocations and policies. It is scheduled to be published for consultation in early 2025 (also under Regulation 18). To support that stage, it will be necessary to have undertaken a comprehensive body of evidence to justify the Plan and demonstrate its deliverability, including for example detailed transport modelling, an assessment of different site alternatives, and a new assessment of the need for new homes and employment land.
- 2.6** This will be followed by Publication of the Pre-Submission draft SLP (under Regulation 19) in early 2026, followed by Submission to the Secretary of State for independent examination.

3.0 CONSULTATION

- 3.1** Planning Policy Reference Panel.

4.0 ASSOCIATED RISKS

- 4.1** The main risk at this stage relates to the Government's proposal for reform to the planning system, some details of which may emerge during the consultation period. However, the scope of the consultation and the questions that are asked will be relevant regardless of any proposed changes to the planning system.
- 4.2** As part of the consultation events will be held at external venues. Risk assessments will be undertaken to ensure the safety of staff and the community.

5.0 MONITORING

5.1 The outcome of the proposed consultation will be used to frame the preparation of a draft Plan in line with the LDS and the statutory procedures.

6.0 RELEVANT COUNCIL PLAN PRIORITIES/COUNCIL POLICIES/STRATEGIES

6.1 Council Plan – all priorities and objectives relating to place.

Background Papers: Local Development Scheme and various evidence base.

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Appendices: Appendix 1. Draft Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan Consultation Document (Regulation 18)