

Economy, Regeneration and Climate Change Scrutiny Committee 18th July 2024

Cabinet

19th July 2024

STOCKPORT LOCAL PLAN – REGULATION 18 CONSULTATION

Report of the Deputy Chief Executive and Assistant Director Place Making and Planning / Chief Planning Officer.

1. Introduction and purpose of report

- 1.1 To meet statutory requirements set out in the Planning and Compulsory Purchase Act 2004 (as amended) the council, as Local Planning Authority, has to prepare and maintain an up-to-date local plan.
- 1.2 The purpose of this report is to set out details relating to the emerging draft Stockport Local Plan and seek Cabinet agreement that it be subject to a period of public consultation commencing in early September 2024 and continuing into October 2024.

2. Background and emerging draft Stockport Local Plan

- 2.1 The Local Plan is our ambitious land use plan to help shape the future of the borough. It is a plan that has been developed collaboratively via the council's Development Plan Working Party and is one that is supported by a proportionate and up-to-date evidence base. It is a plan which seeks to ensure that we have an up-to-date set of planning policies in place to guide development to the most sustainable locations and one which continues to deliver on the council's consistent track record of delivery on brownfield land which maintains a brownfield first approach.
- 2.2 In order to assist members it is considered appropriate to recap on the progress made towards preparing the revised Local Plan since December 2020, when the council withdrew from the process of jointly preparing the Greater Manchester Spatial Framework (GMSF).
- 2.3 At its July 2021 meeting the council discussed a proposed way ahead for developing the Stockport Local Plan. At the meeting, members endorsed the refreshed approach to developing a local plan, including a set of high-level principles to guide the plan, and additional activity to engage with communities to assist in developing a draft plan.
- 2.4 A draft plan was then prepared using those principles and the feedback received from stakeholders and communities. That draft plan was scheduled to be subject to consultation, under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, beginning in September 2022. However, because of uncertainties at a national level over centrally set Local Housing Need figures, the council's cabinet decided to not launch the consultation as had been originally intended.

- 2.5 The council subsequently resolved, at its meeting on 6th October 2022, that consultation should commence no later than 28th January 2023. However, a ministerial statement¹ issued on 6th December 2022 proposed, amongst other things, significant changes to the way in which Local Planning Authorities are required to consider housing targets and, in particular, the protection of Green Belt. The government subsequently published and launched a period of consultation on proposed amendments to the National Planning Policy Framework (NPPF), including amendments which had a significant bearing on the content of the draft Local Plan which had been prepared for consultation. As a consequence it was agreed following receipt of legal advice that consultation on the Local Plan should be postponed until the outcomes of the NPPF consultation were known.
- 2.6 Whilst it was initially expected by the end of spring 2023, the government did not publish an updated version of the NPPF until 19th December 2023, allowing the council to finally move forward towards undertaking consultation on the Local Plan. Subsequently an updated Local Development Scheme, setting out details of the council's timetable for plan preparation, was published in February 2024². This set out that the next substantive stage of the plan-making process – to undertake consultation under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 on an emerging draft of the Local Plan – should take place beginning in July this year.
- 2.7 Because of the announcement of a general election and the impact of the pre-election period on the council's ability to make decisions that may be controversial in the context of the election, the council's Chief Executive determined that it was not possible to proceed to the consultation on the plan as planned, a further amendment has now been made to the Local Development Scheme. The decision making process has been rescheduled to take place as soon as possible following the general election with consultation scheduled to commence at the start of September, immediately after the end of the school summer holidays.
- 2.8 A substantial exercise of updating the draft plan to reflect the updated NPPF and other material changes of circumstance since December 2022 has been undertaken. A review of the evidence base which supports the plan has also been carried out so as to ensure it is justified as an appropriate plan to address the matters it covers, with new or updated evidence being prepared or commissioned to support key areas of policy.
- 2.9 Included within the plan is an illustration of how its objectives will help meet or contribute to the '5 big things' identified as key council priorities in 'One Future – One Stockport'.³
- 2.10 An update of the previously undertaken integrated assessment of the plan has also been undertaken, incorporating the statutory requirements of

¹ See <https://questions-statements.parliament.uk/written-statements/detail/2022-12-06/hcws415>

² See <https://www.stockport.gov.uk/stockport-local-development-scheme>

³ See www.onestockport.co.uk/one-future-plan/

Sustainability Appraisal and Strategic Environmental Assessment, along with an Equalities Impact Assessment and Health Impact Assessment. This will ensure that we meet statutory requirements to have consideration to sustainability, health and equality issues in the preparation of the plan.

- 2.11 A copy of the updated, emerging draft Stockport Local Plan is set out in Appendix 1 to this report. The emerging draft plan should be read alongside the draft updated 'policies map' set out in Appendix 2 to this report. The policies map which shows allocations and designations arising from its policies in addition to allocations/designations relating to other parts of the borough's overall development plan, namely those set out in the Greater Manchester joint minerals and waste development plan documents⁴.
- 2.12 It should be noted that, once Cabinet has approved their content, the appended versions of the emerging draft Stockport Local Plan and the draft updated policies map will be subject to design work prior to commencement of public consultation. This will include a 'designed-up' version of the emerging draft plan (for print and availability as a PDF), printed copies of the policies map and presentation of both elements within the council's purpose-designed Local Plan consultation system.
- 2.13 A library of the emerging evidence base that sits behind the plan can be viewed here: <https://www.stockport.gov.uk/evidence-planning-policy>. Further evidence work is being progressed which will help inform decisions to be made at the next stage of the plan-making process, after the regulation 18 stage consultation.

3. Housing and employment topic papers

- 3.1 At regulation 18 the emerging Local Plan is still at a formative stage. This means that whilst the council is at liberty to propose a plan with whatever form and content it considers appropriate, it must be open to adjusting its approach based on the consultation feedback received, including giving consideration to alternative approaches if these are put forward.
- 3.2 Many of the subject matters covered by the plan are supported by a clear direction from national policy, clarity from locally prepared supporting evidence or other pre-existing strategies and policies, and/or feedback received by the council at earlier stages of the plan's preparation or in the undertaking of its wider duties. The approach taken in relation to these different policy areas is explained in the supporting text set out throughout the emerging draft plan.
- 3.3 As part of the consultation, however, it is proposed to explain in greater detail how and why the emerging draft local plan's approach to meeting future housing and employment development needs is considered appropriate. This is set out in two topic papers which draw together the relevant supporting evidence with requirements arising from national policy, explaining how the council has arrived at the approach set out in the emerging draft Local Plan. Critically the topic papers include an explanation of how, and why, the council

⁴ See <https://www.stockport.gov.uk/development-plan/greater-manchester-policies>

has discounted alternative potential approaches, including potential additional or alternative development sites, in arriving at the emerging draft local plan's preferred approach.

- 3.4 The housing and employment topic papers are set out in Appendix 3 and Appendix 4 to this report.

4. Integrated assessment and habitats regulation assessment

- 4.1 In order to comply with relevant regulations, ensure efficient working and to provide a robust and transparent appraisal of the potential impacts of the Local Plan, the council adopts an integrated approach towards sustainability appraisal. The subsequent integrated assessment (IA) meets the regulatory requirement for all development plan documents to be subject to a strategic environmental assessment (SEA) as well as the council's commitment to use health impact assessment (HIA) to inform preparation of key policies and plans. The integrated assessment also considers the potential climate change related impacts of the plan, consistent with the council's declaration of a climate emergency. Furthermore, the integrated assessment considers the potential equalities impacts of the plan, meeting the requirements placed on the council to have due regard to certain equality considerations when exercising their functions.
- 4.2 A copy of the integrated assessment of the emerging draft Stockport Local Plan is set out in Appendix 5 to this report. The integrated assessment will be published alongside the emerging draft Stockport Local Plan for consultation and will continue to be updated to inform decisions about the Local Plan as it progresses from the current draft stage.
- 4.3 Preparation of the Local Plan must also be informed by the undertaking of a habitats regulations assessment (HRA) to give an understanding of whether it will result in any impacts on designated European sites protected by the Conservation of Habitats and Species Regulations 2017. An HRA will be undertaken to inform the regulation 19 version of the Local Plan.

5. Regulation 18 consultation

- 5.1 Subject to agreement by the council's cabinet it is proposed to commence a period of consultation on the emerging draft Local Plan on 2nd September 2024 continuing until 28th October 2024.
- 5.2 Consultation will be undertaken in accordance with the council's adopted Statement of Community Involvement (see <https://www.stockport.gov.uk/statement-of-community-involvement>).
- 5.3 Specific consultation activities and events will include:
 - Deposit locations. Copies of the emerging draft Local Plan document and the draft updated 'policies map' will be available to view at

Stopford House reception and at all local libraries during the consultation period.

- Public events. A series of events will be held across a spread of geographical locations during the consultation period. The aim will be to support and promote the consultation and encourage a wide cross section of Stockport's community to have their say. Officers at these events will signpost how to comment on the plan and demonstrate using 'StoryMaps.'
 - Area Committees – events will be held prior to each of the seven area committees in September. Officers will be on hand to answer questions about the Local Plan and provide guidance on where to learn more and how to make comments.
 - Libraries - a number of drop-in events will be held at a range of local libraries. Planning officers will answer any questions raised as well as signposting residents to how to comment on the plan. Digital champions supporting these events will provide assistance to residents on how to get online and use 'StoryMaps' to respond to the consultation.
 - Local markets - plans are being made to attend local markets, including worker bee markets, with promotional stalls during the consultation.
 - Town centre – there will be an engagement location in the town centre with information about the Local Plan consultation and how to provide feedback. Officers will be available at peak times to engage with as many people as possible.
- Boards, forums and representative organisations – officers will engage with local groups and bodies representing different interests. Key stakeholders including public sector partners, local businesses, voluntary and community sector organisations will be informed and invited to a seminar to learn more about the Local Plan and how to respond to the consultation.

5.4 Council communications will increase awareness of the consultation period and how our communities can have their say and formally submit their views. Using a range of communications channels including social media, we will be seeking to maximise the reach of the consultation and target widespread engagement on the plan.

5.5 The Stockport Local Plan webpages (www.stockport.gov.uk/localplan) will be the hub for all information on the Local Plan and consultation. The consultation system will be accessed through the website as well as the full local plan document, policies maps, supporting evidence, information about the plan making process and events taking place as part of the consultation.

- 5.6 The consultation will be open to anyone to respond. To be considered comments must be made during the consultation period. The council will not be able to consider comments submitted outside of the consultation period. Whilst comments may be submitted by email or post, consultees will be encouraged to use the council's purpose-designed online consultation system ("StoryMaps") which will guide them to make well-structured comments that are able to be efficiently processed and analysed by the council. The council will only be able to consider comments made in these ways.
- 5.7 Anyone commenting on the plan's policies and proposals will be encouraged to set out whether or not they agree with them. If they are in agreement they will be asked to explain why. If they do not agree they will be asked to explain what they would like to see the plan saying/proposing instead and why they consider their suggestion(s) to be preferable.
- 5.8 The issues that people raise, positive or negative, are more important than the number of people raising them or who those people are. To inform how the plan evolves from the regulation 18 emerging draft we will need to show how we have responded to the issues that are raised.

6. Post-consultation - next steps

- 6.1 Once the consultation has closed the council will need to produce a report of the issues raised and how it intends to respond to them. To enable this the process of analysing comments will begin as soon as the first comment is received. The amount of time the analysis process takes will be dependent upon the number of comments received, the format they are received in (comments received by email and, even more so, post take a considerably greater amount of time to process) and, critically, the complexity of the issues that are raised.
- 6.2 Amendments will then likely need to be made to the Local Plan document, in response to the issues raised. The habitats regulations assessment will need to be undertaken and the integrated assessment document will need to be reviewed and, if necessary, revised to have regard to any changes made to the Local Plan.
- 6.3 At this stage the council will also have regard to new or updated evidence being prepared to inform what will be the final version of the plan. This will include:
- An update of the council's Open Space Assessment;
 - An update of the council's Green Belt Assessment;
 - An update of the council's Strategic Housing Land Availability Assessment (SHLAA); and
 - A whole plan viability assessment (used to finalise any requirements relating to developer contributions and demonstrate the deliverability of the plan).

- 6.4 Further additional or updated evidence may need to be prepared or commissioned at this stage in response to the issues raised during the regulation 18 consultation.
- 6.5 The resulting final version of the plan has to then be published for a further period of consultation, this time under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Following this the council will submit the plan (along with the suite of supporting / evidence documents and a schedule of the responses received to the regulation 19 consultation) to the Secretary of State for Levelling Up, Housing and Communities who will duly instruct the Planning Inspectorate (PINS) to appoint one of their inspectors to undertake an examination in public (EiP) of the submitted plan. The purpose of the EiP is to assess whether the plan has been prepared in accordance with legal and procedural requirements and if it is sound (in accordance with the tests of soundness set out in paragraph 35 of the NPPF). At the end of the examination the inspector will send a report to the council recommending whether or not the Local Plan can be adopted. In most cases inspector's reports will recommend some changes (known as 'main modifications') that are necessary to allow the plan to be adopted; such changes would be subject to further consultation before any final decisions are made.

7. Recommendations

- 7.1 Members of the Economy, Regeneration and Climate Change Scrutiny Committee are invited to comment on the matters set out in this report.
- 7.2 Cabinet are asked, having regard to any comments made by members of the scrutiny committee, to approve the emerging draft Stockport Local Plan set out in Appendix 1 and draft updated policies map set out in Appendix 2 for consultation between 02/09/2024 and 28/10/2024. The consultation will take place under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and be carried out in accordance with the council's adopted Statement of Community Involvement.
- 7.3 Cabinet are further asked to delegate the making of minor amendments to the emerging draft Stockport Local Plan and/or the draft updated policies map prior to the consultation commencing to the Assistant Director Place Making and Planning in consultation with the Deputy Leader of the Council. Minor amendments might include, for instance, correcting typographical errors or updating references/links to supporting evidence documents.
- 7.4 In light of the outcome of the General Election, delegated authority is sought to the Leader of the Council in consultation with the Chief Executive to delay the commencement of the consultation in the event that changes to national policy are made that would result in a need for the council to review its approach in the local plan.

BACKGROUND PAPERS

None

Anyone wishing to inspect the above background papers or requiring further information should contact Richard Wood, Planning Policy Manager, on tel: 07800617505 or by email on richard.wood@stockport.gov.uk.