

**WEST OXFORDSHIRE DISTRICT COUNCIL**

**COUNCIL MEETING:**  
**THURSDAY 27 SEPTEMBER 2018**

**WEST OXFORDSHIRE LOCAL PLAN: INSPECTOR'S REPORT**  
**AND ADOPTION OF THE PLAN**

**REPORT OF THE HEAD OF PLANNING AND STRATEGIC HOUSING**

**(Contact: Chris Hargraves, Tel: (01993) 861686)**

**1. PURPOSE**

To consider the report of the Local Plan Inspector and adoption of the West Oxfordshire Local Plan 2031.

**2. RECOMMENDATIONS**

- (a) That the conclusions of the Local Plan Inspector's report (Appendix A) be noted, and his recommendations regarding the Main Modifications that are required to make the Local Plan sound be accepted;
- (b) That the incorporation of the additional modifications as set out in Appendix B, arising from the Inspector's recommendations as set out in Appendix A, be approved;
- (c) That the Local Plan (Appendix C) be adopted as a development plan document incorporating all of the Main Modifications recommended by the Inspector together with the additional modifications as set out in Appendix B, in accordance with Regulation 26 of the Town and Country Planning (Local Planning) Regulations 2012;
- (d) That the content of the Sustainability Appraisal/Strategic Environmental Assessment adoption statement at Appendix D be noted;
- (e) That the Head of Planning and Strategic Housing be authorised to publish an updated adopted Policies Map to illustrate graphically the application of policies contained in the adopted development plan;
- (f) That the Head of Planning and Strategic Housing be authorised, prior to the publication of the Local Plan, to correct any further minor spelling, grammatical or typographical errors together with any improvements from a presentational perspective including paragraph and policy numbering; and
- (g) That it be acknowledged that the adoption of the Local Plan will revoke those saved policies indicated as being replaced in Appendix I of the Plan (Appendix C), with immediate effect.

**3. BACKGROUND**

- 3.1. Local Plans set out a vision and a framework for the future development of an area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure as well as providing a basis for safeguarding the environment, adapting to climate change and securing good design.
- 3.2. The current West Oxfordshire Local Plan was adopted in 2006 and whilst having an end-date of 2011, the majority of policies have been formally 'saved' under transitional

arrangements and are still used to determine planning applications alongside the Government's National Planning Policy Framework (NPPF).

- 3.3. Work on a replacement Local Plan to 2031 has been ongoing for several years with the original draft plan submitted for independent examination in July 2015.
- 3.4. At that time, the proposed housing target was 10,500 homes and the plan included four strategic housing sites at East Witney (400 homes) North Witney (1,000 homes) REEMA Central (200 homes) and East Chipping Norton (600 homes).
- 3.5. However, following the Stage 1 examination hearing sessions in November 2015 the Inspector published his preliminary findings which raised concerns regarding a number of matters including the overall housing requirement. As a result, the examination was suspended in January 2016 to allow the Council to undertake further work.
- 3.6. That further work was carried out during 2016 alongside joint work with the other Oxfordshire local authorities in relation to the apportionment of 'unmet' housing need from Oxford.
- 3.7. A series of proposed changes to the draft Local Plan were subsequently drafted including an increase in the overall housing requirement from 10,500 to 15,950 homes, comprising 13,200 homes for West Oxfordshire's housing need and 2,750 for Oxford's housing need.
- 3.8. To achieve this uplift, the originally proposed strategic sites were increased in size as follows; East Witney (450 homes) North Witney (1,400 homes) and East Chipping Norton (1,400 homes) and new strategic sites were introduced to the west of Eynsham (1,000 homes) and to the north of Eynsham (2,200 homes) in the form of a new Garden Village.
- 3.9. 15 smaller 'non-strategic' sites were also allocated including at Carterton, Charlbury, Woodstock, Stonesfield, Burford, Long Hanborough, Stanton Harcourt, Shipton under Wychwood, Minster Lovell and Witney.
- 3.10. Consultation on the proposed changes took place from 11 November – 23 December 2016 with around 2,500 comments received from around 1,000 respondents. The proposed changes were submitted for examination in March 2017 together with the consultation responses received and supporting background documentation.
- 3.11. The Stage 2 examination hearing sessions took place in May 2017 and dealt with a number of general matters including legal compliance, sustainability appraisal, the overall spatial strategy, site selection, the balance of small and large sites, housing need (including Oxford's unmet housing need) affordable housing, employment, transport, environment and heritage.
- 3.12. The Stage 3 examination hearing sessions took place in July 2017 and dealt with the five sub-area strategies focusing in particular on proposed housing site allocations as well as five-year housing land supply.
- 3.13. During the July hearing sessions, the Council agreed to prepare additional evidence in support of the Local Plan. This included additional work on landscape and heritage, sustainability appraisal and housing needs in the Burford – Charlbury sub-area. Consultation took place on this additional work from 22 November until 20 December 2017.
- 3.14. In January 2018, the Inspector wrote to Council setting out his thoughts in relation to the Local Plan and concluding that subject to further modifications to the effect of

those being proposed by the Council, the plan was likely to be capable of being found legally-compliant and sound.

- 3.15. Consultation then took place on a series of Further Main Modifications (FMMs) from 22 February until 9 April 2018. Comments were submitted by around 90 individuals and organisations.
- 3.16. Subsequent to this, in June 2018 the Council undertook some additional work in relation to the Habitat Regulations Assessment (HRA) of the Local Plan to take account of a European Court judgement of April 2018. Natural England (the statutory body on such matters) were consulted on the additional work and confirmed by letter dated 19 July 2018 that they were satisfied.
- 3.17. The Inspector subsequently issued his final report into the Local Plan on 24 August 2018 and it is attached in full to this report at Appendix A.

#### **4. THE INSPECTOR'S REPORT AND RECOMMENDED MAIN MODIFICATIONS**

- 4.1. The Inspector's report (Appendix A) comprises three parts: the main report, Appendix 1 (Inspector's preliminary findings from 2015) and Appendix 2 (schedule of Main Modifications - MMs). It sets out the Inspector's overall view on the legal compliance and soundness of the Local Plan.
- 4.2. In terms of legal compliance, the report concludes that the Sustainability Appraisal (SA) work undertaken in connection with the plan is adequate and that all other legal requirements have been met. It also concludes that the Council has, where necessary, engaged constructively, actively and on an ongoing basis in the preparation of the plan and that the 'Duty to Co-operate' has therefore been met.
- 4.3. In terms of 'soundness', the report concludes that the West Oxfordshire Local Plan 2031 provides an appropriate basis for the planning of the District, provided that a number of Main Modifications (MMs) are made to it. Members should note that these are modifications to the plan as originally submitted in 2015.
- 4.4. The recommended main modifications can be summarised as follows:
  - Increasing the 2011 - 2031 housing requirement to 15,950 new dwellings, including 2,750 in respect of Oxford City's needs and setting out a 'stepped' approach to meeting this need during the plan period;
  - Increasing the planned-for number of dwellings at North Witney, East Witney and East of Chipping Norton Strategic Development Areas (SDAs), allocating a new SDA at West Eynsham and identifying North Eynsham as a strategic location for growth to be planned in detail through an Area Action Plan;
  - Allocating 11 other new sites for housing development;
  - Altering employment land requirements to reflect the most up to date evidence; and
  - A range of other alterations to the plan to ensure that it is positively prepared, justified, effective and consistent with national policy.
- 4.5. The Main Modifications are set out in full at Appendix 2 of the Inspector's report (Appendix A) and are briefly summarised below for ease of reference.

## **Housing requirement and supply**

- 4.6. The Inspector has concluded that the originally submitted housing requirement of 10,500 homes (525 homes per year) is not justified by the submitted evidence and that the higher figure of 13,200 homes (660 per year) drawn from the Oxfordshire Strategic Housing Market Assessment (2014) is soundly-based.
- 4.7. He also concludes that it is appropriate for the West Oxfordshire Local Plan to make provision for an additional 2,750 homes for Oxford City's unmet needs – thereby increasing the overall housing requirement to 15,950 homes.
- 4.8. In terms of housing delivery, the Inspector has concluded that a 20% buffer should be applied to the calculation of 5-year housing land supply having regard to past under-delivery of housing since the start of the plan period in 2011. Members will be aware that the Council has previously argued that a 5% buffer should be applied.
- 4.9. However, recognising the challenge faced by the Council the Inspector has concluded that it is appropriate for the Council to apply the 'Liverpool' approach to tackling this past under-supply (whereby any past delivery shortfall is spread over the remaining plan period to 2031 rather than being met in the next 5 years).
- 4.10. Importantly, he has also concluded that the Council should calculate its annual housing requirement on a 'stepped' basis. This essentially sees a gradual increase in the per annum housing requirement over the plan period to reflect the likely reality of delivery of the sites already included in the plan and, in particular, the strategic development areas (SDAs).
- 4.11. The Inspector's overall conclusion on housing supply is that subject to the above mentioned modifications, it is likely that the plan will provide for the delivery of the 2011 – 2031 housing requirement and, subject to a review of it as necessary, for a rolling five year supply of deliverable sites for housing.

## **Strategic Housing Sites (Witney, Chipping Norton and Eynsham)**

- 4.12. The Inspector's report includes a detailed consideration of the five strategic site allocations proposed by the Council as part of the Local Plan changes put forward in 2016.

### **East Witney**

- 4.13. In respect of the East Witney Strategic Development Area – SDA (Policy WIT1) the Inspector has concluded that there is a realistic prospect that the site can accommodate 450 dwellings without unacceptable harm to the landscape being caused.
- 4.14. He recognises the importance of delivery of the Shores Green Slip Roads (SGSR) and the potential need for compulsory purchase but does not consider this to render the Council's forecasts of housing delivery unrealistic or the allocation unsound.
- 4.15. A number of modifications have been identified as being necessary to make the policy sound including in relation to transport, heritage and the need for development to be led by a comprehensive masterplan.

### **North Witney**

- 4.16. In relation to the North Witney SDA (Policy WIT2) the Inspector has concluded that there is a realistic prospect that the overall site (including the land to the west of Hailey Road) could accommodate around 1,400 dwellings without resulting in unacceptable harm to the landscape, when balanced against the advantages of the development.

- 4.17. He recognises the issue of flood risk and the need for significant infrastructure for drainage and sewerage but highlights the fact that such issues are not particularly unusual for a housing development of this size.
- 4.18. He also recognises the importance of the West End Link Road and has recommended wording to ensure the timing of development is phased in accordance with the timing of delivery of this and other supporting infrastructure. Again, the potential need for CPO is recognised but not considered by the Inspector to be an issue in terms of the soundness of the allocation.

#### **Land East of Chipping Norton (Tank Farm)**

- 4.19. In respect of land east of Chipping Norton (Policy CNI) the Inspector has concluded that the site is capable of accommodating 1,200 new homes without causing unacceptable harm to the landscape.
- 4.20. Members should note that this is less than the 1,400 homes originally proposed by the Council in 2016 and takes account of more detailed masterplan work undertaken by the site promoter as well as the Inspector's own assessment of the site.
- 4.21. The Inspector has supported the eastern link road which is proposed as part of the East Chipping Norton SDA and again, whilst highlighting the potential need for CPO, does not consider this to be an issue in terms of delivery timescales or soundness.
- 4.22. A number of modifications to Policy CNI have been recommended by the Inspector to address various issues including the need for development to be led by an agreed masterplan, school provision and health care, lighting, heritage, transport and where necessary, replacement/re-provision of any allotments that are lost as a result of the proposed development.

#### **Oxfordshire Cotswolds Garden Village**

- 4.23. In respect of the Oxfordshire Cotswolds Garden Village (Policy EW1a) the Inspector acknowledges the potential constraints to development including in particular congestion on the A40 as well as air quality, noise, minerals, existing uses, landscape, flood risk, biodiversity and heritage. However, he has also concluded that whilst such matters may influence the number of dwellings that can be accommodated on the site, they are not necessarily incompatible with housing and employment development.
- 4.24. As such he has concluded that land to the north of Eynsham is soundly-based as a location for growth to meet a proportion of Oxford City's housing needs and that there is a reasonable prospect that this location could make a significant contribution towards the 2,750 homes the plan is committed to providing by the end of the plan period.
- 4.25. He has therefore recommended the inclusion of Policy EW1a within the Local Plan with the wording of the policy emphasising the need for comprehensive development in accordance with a forthcoming Area Action Plan (AAP) and setting out the key issues to be addressed in that action plan.

#### **West Eynsham**

- 4.26. In relation to the land west of Eynsham (Policy EW1b) the Inspector has concluded that the proposed allocation is sound, including the proposed north – south spine road required as part of the development.

- 4.27. Members should note that there is a minor error at paragraph 178 of the Inspector's report, which includes reference to a statement of common ground between the Council and Historic England in relation to the proposed spine road and the nearby scheduled monument. Whilst a statement of common ground was drafted, it was not in fact finalised.
- 4.28. The Planning Inspectorate has been made aware of the issue but is unable to amend or re-issue the report as the examination has now closed. However, because the proposed main modification put forward by the Inspector in relation to this issue is wording provided by Historic England itself, the error is considered to be immaterial.
- 4.29. In terms of housing delivery on the West Eynsham site, the Inspector acknowledges that the Council's assumptions are optimistic but not entirely unrealistic and that any potential slippage in the forecast delivery programme does not render the allocation unsound.

### **Non-Strategic Housing Sites**

- 4.30. The Inspector has recommended the inclusion of 11 non-strategic housing sites as follows:
- REEMA North and Central (300 homes)
  - Milestone Road, Carterton (200 homes)
  - Land at Swinbrook Road, Carterton (70 homes)
  - Land east of Woodstock (300 homes)
  - Land north of Hill Rise, Woodstock (120 homes)
  - Land north of Banbury Road, Woodstock (180 homes)
  - Land at Myrtle Farm, Long Hanborough (50 homes)
  - Oliver's Garage, Long Hanborough (25 homes)
  - Former Airfield, Stanton Harcourt (50 homes)
  - Land west of Minster Lovell (125 homes)
  - Woodford Way Car Park, Witney (50 homes)
- 4.31. A number of minor changes to each policy are proposed to address various issues that have arisen through the examination process including a reduction in the number of dwellings on the land north of Banbury Road, Woodstock (reduced from 250 to 180 homes) and an increase in the number of homes on the land west of Minster Lovell (increased from 85 to 125 homes).
- 4.32. Specific commentary is provided in the report on the three proposed allocations at Woodstock in which the Inspector concludes that cumulatively, development of these sites would not cause substantial harm these heritage assets or the landscape.
- 4.33. He further states that the benefit of providing for around 600 dwellings (less than 4% of the plan's overall housing requirement) in this sustainable location represents a clear and convincing justification for the proposed housing development, bearing in mind the importance of the nearby heritage assets and the level of harm which would be likely to be caused to them.
- 4.34. Members should note that the Inspector has not supported the four AONB sites proposed to be allocated by the Council in 2016 including at Burford, Charlbury, Shipton-under-Wychwood and Stonesfield.
- 4.35. Essentially he has concluded that the Council has not adequately evidenced the need for new housing over and above existing completions and commitments and as such he

has recommended that housing delivery within the Burford – Charlbury sub-area is based on past completions and existing commitments only. The plan therefore includes no site allocations in this part of the District.

- 4.36. This does not mean that no further housing development can take place but ensures that where development does come forward, it would need to be consistent with other relevant policies and demonstrate overall benefits to the AONB.

### **Employment Land Requirements**

- 4.37. A number of changes are proposed to more accurately reflect the Council's most recent economic evidence which identifies a need for an additional 27 ha of business land over the plan period to 2031.
- 4.38. The Inspector has recognised that whilst Policy EI – Land for Employment provides for significantly more than the indicated 27 ha requirement, much of this is unlikely to be available until towards the end of, or even beyond, the current plan period and that there is no persuasive evidence that the theoretical over-supply would be likely to cause any harm.

### **Other Issues**

- 4.39. The Inspector's report addresses a number of other more general issues that have arisen through the examination process. These can be broadly summarised as follows:
- Settlement hierarchy – support for the Council's overall approach subject to the identification of the Oxfordshire Cotswolds Garden Village as a new Rural Service Centre and Long Hanborough being retained as a Rural Service Centre rather than being 'downgraded' to Village as previously proposed by the Council.
  - Spatial Strategy – support for the Local Plan's overall spatial strategy (three main towns/limited dispersal plus a new village) which subject to a number of modifications is considered to be justified, effective and consistent with national policy.
  - Site selection process – an overall conclusion reached that the Council has employed a proportionate, objective and sufficiently robust process in selecting the sites for housing development allocated in the plan.
  - Affordable Housing – support for the Council's overall approach with minor clarifications to ensure consistency with national policy and a reduced requirement for extra-care housing to reflect viability concerns;
  - Travelling communities – support for the Council's overall approach (Policy H7) and proposed allocation of land at Cuckoowood Farm (Policy H8). Minor amendments to reflect most recent evidence and for consistency with other plan policies and national policy;
  - Type and Mix of Housing – support for the Council's overall approach including the requirement for larger housing schemes of 50 or more units to provide a percentage of accessible and adaptable homes including wheelchair adaptable homes. Minor amendment in recognition of the needs of households from the travelling communities who are no longer travelling;
  - Custom and Self-Build Housing – support for the Council's overall approach which seeks to ensure that on larger housing sites of 100 or more dwellings, 5% of the residential plots are serviced and made available for custom and self-build housing.

- Retail - support for the Council's overall approach (Policy E6) with various recommended modifications to provide clarity and improve the application of the policy.
- Transport – recognition of an almost inevitable increase in traffic and acknowledgment that the plan appropriately seeks to locate development so as to minimise, as far as practicable, the need to travel and to maximise use of modes of transport other than the private car, with any adverse transport implications likely to be outweighed by the benefits of providing for identified housing and employment needs.
- Infrastructure provision – support for the Council's overall approach (Policy OS5) subject to a number of modifications in relation to the timing and phasing of delivery.
- Environmental assets - overall conclusion that, subject to a number of modifications, the plan's policies in respect of environmental assets are positively prepared, justified, effective and consistent with national policy. This includes a new policy on the AONB (EH1a) and revisions to Policy EH1 – Landscape Character, Policy EH2 – Biodiversity and Geodiversity, Policy EH3 – Public Realm and Green Infrastructure, Policy EH3a – Sport, Recreation and Children's Play, Policy EH4 - Decentralised and renewable or low carbon energy development (excepting wind turbines) Policy EH5 – Flood Risk and Policy EH6 – Environmental Protection.
- Heritage assets – overall conclusion that, subject to a number of modifications, the plan's policies in respect of heritage assets are positively prepared, justified, effective and consistent with national policy. This includes a revised overall heritage policy (EH7) together with new individual heritage policies on a range of subjects including Conservation Areas (EH8) Listed Buildings (EH9) Traditional Buildings (EH10) Historic Landscape Character (EH11) Registered Historic Parks and Gardens (EH12) Scheduled Monuments and Other Nationally Important Archaeological Remains (EH13) and Non-Designated Heritage Assets (EH14).
- Blenheim World Heritage Site (WHS) – support for the Council's overall approach towards securing the conservation and enhancement of the WHS (Policy EW1) but with minor amendments to ensure consistency with national policy and Local Plan Policy EH7.

## **5. ADDITIONAL MODIFICATIONS**

- 5.1. The Inspector's report focuses on the more fundamental changes that are needed to make the Local Plan sound – referred to as Main Modifications (MMs). In addition to these, in adopting the plan the Council can also make additional modifications to the Local Plan provided they do not, alone or in combination, materially alter the policies of the plan. Such changes include alterations to the supporting text consequential to the main modifications, minor factual updating and the correction of typographical errors etc.
- 5.2. Attached at Appendix B is a schedule of additional modifications which are minor changes to ensure that the supporting text of the plan makes sense and is factually correct and up to date in the context of the main modifications recommended by the Inspector.



- 5.3. The majority of these additional modifications relate to the supporting text of the plan but they also include non-material changes to Policy H5 – Custom and Self-Build Housing and Policy H6 – Existing Housing.

## **6. COMPOSITE VERSION OF LOCAL PLAN**

- 6.1. Attached at Appendix C is a composite version of the Local Plan which is the same as that which was originally published in March 2015 but incorporating the Main Modifications recommended by the Inspector (Appendix A) together with the consequential additional modifications identified by the Council (Appendix B) and a number of updated maps/plans/figures (see Policies Map below).
- 6.2. Members are asked to formally adopt the Local Plan as set out at Appendix C in accordance with Regulation 26 of the Town and Country Planning (Local Planning) Regulations 2012.
- 6.3. Council should note that, as per recommendation 2(f) of the report, subject to the Local Plan being adopted, it is the intention of Officers to re-reference the supporting text and policies as appropriate so for example that Policies EW1a, EW1b, EW1c, EW1d etc. would become EW1, EW2, EW3, EW4.
- 6.4. This will enable the reader to navigate the document more easily but is of no consequence to the operation and interpretation of the policies and supporting text.

## **7. SUSTAINABILITY APPRAISAL/STRATEGIC ENVIRONMENTAL ASSESSMENT ADOPTION STATEMENT**

- 7.1. Appendix D to this report is for information and noting, and is a Sustainability Appraisal (SA) Adoption Statement which is a legal requirement and includes information on the following:
- The development of the West Oxfordshire Local Plan
  - How environmental & sustainability considerations have been integrated into the Local Plan;
  - How the Sustainability/Environmental Report has been taken into account
  - How the results of consultation have been taken into account
  - Reasons for choosing the Local Plan as adopted, in the light of other reasonable alternatives; and
  - Measures that are to be taken to monitor the significant sustainability/ environmental effects of the implementation of the Local Plan
- 7.2. Appendix D will follow, and will be published no later than Wednesday 19 September.
- 7.3. Upon adoption of the Local Plan, the Council will be required to make the Sustainability Appraisal report available in accordance with legislative requirements.

## **8. POLICIES MAP**

- 8.1. The purpose of the Policies Map is to illustrate geographically the application of the policies in the Local Plan.
- 8.2. When the new Local Plan is adopted, in order to comply with legislation and give effect to the plan's policies, the Council will need to update the existing adopted policies map for West Oxfordshire.

8.3. This will include the incorporation of the following inset maps and figures as set out in the composite Local Plan at Appendix C together with an overarching policies map for the whole District.

- Figure 9.6 - Witney Sub-Area Strategy
- Figure 9.10 - Carterton Sub-Area Strategy
- Figure 9.14 - Chipping Norton Sub-Area Strategy
- Figure 9.15bi - Eynsham Inset
- Figure 9.16 - Woodstock Town Centre Boundary
- Figure 9.18 - Burford Town Centre
- Figure 4.1 - West Oxfordshire Sub-Areas and Key Diagram
- Figure 5.1 - Affordable Housing Zones
- Figure 5.3 - Land at Cuckoowood Farm
- Figure 8.2 - Special Landscape Policy Areas
- Figure 8.3 - Conservation Target Area and Nature Improvement Areas
- Figure 8.4 - Local Ecological Networks
- Figure 8.6 - Designated Heritage Assets in West Oxfordshire
- Figure 9.3 - East Witney Strategic Development Area (SDA)
- Figure 9.4 - North Witney Strategic Development Area (SDA)
- Figure 9.4a - Woodford Way Car Park
- Figure 9.4b - Land West of Minster Lovell
- Figure 9.5 - Witney Town Centre Strategy
- Figure 9.8 - REEMA North and Central
- Figure 9.8a - Land south of Milestone Road, Carterton
- Figure 9.8b - Land at Swinbrook Road, Carterton
- Figure 9.9 - Carterton Town Centre Strategy
- Figure 9.12 - Land East of Chipping Norton Strategic Development Area (SDA)
- Figure 9.13 - Chipping Norton Town Centre
- Figure 9.15a - Oxfordshire Cotswolds Garden Village Strategic Location for Growth (SLG)
- Figure 9.15b - West Eynsham Strategic Development Area (SDA)
- Figure 9.15c - Land East of Woodstock
- Figure 9.15d - Land North of Hill Rise, Woodstock
- Figure 9.15e - Land North of Banbury Road, Woodstock
- Figure 9.15f - Land at Myrtle Farm, Long Hanborough
- Figure 9.15g - Land at Oliver's Garage, Long Hanborough
- Figure 9.15h - Former Stanton Harcourt Airfield, Stanton Harcourt
- Figure 9.16a - Blenheim Palace WHS Key Views

8.4. As per recommendation 2(e) above, Members are asked to authorise the Head of Planning and Strategic Housing to publish the updated adopted Policies Map incorporating the plans/figures listed above.

## **9. NEXT STEPS**

9.1. Subject to the approval of Council, in accordance with Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 201, the adopted Local Plan will be published and made available together with an adoption statement, the Sustainability Appraisal (SA) report and details of where the Local Plan is available for inspection and the places and times at which the document can be inspected.

- 9.2. A copy of the adoption statement will also be sent to all those who have requested to be notified and also to the Secretary of State.

## **10. FINANCIAL IMPLICATIONS**

There are financial implications associated with the preparation and examination of the Local Plan including Officer time, the cost of supporting evidence and technical advice, public consultation and legal and professional fees including those of the Planning Inspectorate.

## **11. RISKS**

- 11.1. Any decision to not adopt the new Local Plan at this stage of the process would create a policy vacuum leading to increased pressure from speculative development and less certainty for local communities.
- 11.2. There is a risk of legal challenge upon adoption of the Plan under Section 113 of the Planning and Compulsory Purchase Act 2004 on the ground that the document is not within the appropriate power or a procedural requirement has not been complied with. Any such legal challenge must be made within 6 weeks of the plan being formally adopted.

## **12. REASONS**

The currently adopted Local Plan (2006) is time-expired and increasingly less relevant for the purposes of development management. It is essential that the Council has in place an up to date adopted Local Plan to guide future development.

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Date: 17 September 2018

Background Papers:

None