

Extraordinary Council Meeting – 30 November 2015

Local Plan – Consideration of further work and consequential modifications

SUPPLEMENTARY REPORT

27 November 2015

Purpose:

1. To update the report to Council in light of communication with the Inspector this week about the way the consultation on proposed Modifications is carried out. There are no changes to the substance of the agenda papers. The changes help simplify and clarify the scope of the consultation. The changes are:
 - To be clear that comments can only be made on the proposed changes at this stage
 - To make all modifications 'main' unless they are clearly typographical or factual updates
 - To split the tables for each plan into main and minor, and make clear that the Inspector will only be concerned with main modifications.These changes will help ensure an open and transparent consultation and provide the opportunity for comments on the full scope of the issues raised by the Inspectors in their letter of 20 May 2015 to be made on main modifications that will be considered by the Inspector.

Amendments to consultation document (Appendix A of the Council report):

2. The Inspector has commented on the scope of the opportunity to make representations that is appropriate at this stage of the local plan examination process. In light of her advice, amendments are proposed to the text of paragraphs 1.5 to 1.9 of the consultation document at Appendix A of the Council report.
3. The proposed amendments are to reflect directly the guidance at paragraph 8.17 of the PINS document Examining Local Plans Procedural Practice (December 2013), which says (our emphasis):

"8.17 There are particular matters that the Inspector will have to consider when the examination resumes:

- if the Plan has been changed, it may have to undergo another consultation period so that interested persons have the opportunity to make representations about the changes;
 - further sustainability appraisal may be necessary to ensure compliance with the legal requirements; and
 - if further sustainability appraisal is carried out, it will be necessary to consult upon it in order to comply with the Strategic Environmental Assessment Regulations (Environmental Assessment of Plans and Programmes Regulations 2004)."
4. The changes to the text of the consultation document proposed to respond to the Inspector's advice are (additions underlined, deletions ~~struckthrough~~):

What can I comment on?

- 1.5 This consultation relates specifically to the ~~issues the inspectors have asked the Councils to address and the~~ proposed Modifications to the Local Plans proposed as a result of the additional work undertaken in response to the Inspectors' letter of 20 May 2015. You can also comment on the Sustainability Appraisal Addendum which accompanies the consultation.
- 1.6 ~~Comments in support of or objecting to a proposed Modification about the proposed changes to be made by the proposed Modifications should be made submitted in response to this consultation. This approach is consistent with guidance from the Planning Inspectorate (Examining Local Plans Procedural Practice, December 2013, paragraph 8.17¹) If you consider a further or alternative modification should have been made in response to the Inspectors' letter and/or the additional work undertaken in response to that letter that is not included in this document, then you should submit an objection to this consultation setting out those modifications and the reasons for them. If you made an objection or a comment in support of the submitted plans in Summer 2013, but want to add new points arising from the additional work~~ proposed changes, then you should also do so in response to this consultation.

What can't I comment on?

- 1.7 This is not intended as a process to repeat the formal consultation already carried out on the Local Plans in Summer 2013. Comments made at that time remain in front of the Inspectors and there is no need to repeat them.
 - 1.8 This is not a consultation on the Local Plans as a whole, just the ~~issues raised by~~ about the changes proposed by the Councils as Modifications in response to the Inspectors. It is not possible to make comments at this stage in the process that relate to any other aspects of the Local Plans ~~that have not been raised by the Inspectors in their letter of 20 May 2015~~.
 - 1.9 ~~The~~ This consultation ~~response document responding to the Inspectors' letter has been informed by a number of new evidence base documents. They are available to view in the Examination Library and on Councils' websites.~~
5. A further amendment to the format of the document, following guidance from the Inspector, is to split the modification tables into separate tables for main modifications, which are the ones that the Inspector will be concerned with, and minor modifications, which are a matter for the Councils.
 6. The Inspector has advised that only changes such as typographical errors and factual updates should be included as minor modifications. To allow an open and transparent consultation, it is recommended that all the proposed modifications

¹ "If the Plan has been changed, it may have to undergo another consultation period so that interested persons have the opportunity to make representations about the changes".

be categorised as main, unless they are clearly typographical or factual. This results in a change to the following part of Appendix A to the Council report which is the consultation document:

- Appendix A Proposed modifications to the Cambridge Local Plan - All modifications categorised as minor in the table be recategorised as main with the exception of modifications PM/CC/2/D and PM/CC/3/B.
 - Appendix A Proposed modifications to the South Cambridgeshire Local Plan Local Plan - All modifications categorised as minor in the table be recategorised as main with the exception of modifications PM/SC/2/E, PM/SC/7/H, PM/SC/7/I, PM/SC/7/J, PM/SC/9/A, PM/SC/G/A, and PM/SC/G/B.
7. The Councils are consulting on minor modifications at this stage, but they will not be considered by the Inspector.

Recommendation:

8. As a consequence of these proposed changes, the following recommendation to Council has been updated (new text is shown as underlined):
- a) **the consultation document with proposed modifications (Appendix A) as amended by the supplementary report (dated 27 November 2015) and sustainability appraisal (Appendix B), for public consultation between 2 December 2015 and 25 January 2016;**