



# EXECUTIVE

## BURNLEY TOWN HALL

Monday, 20th March, 2017 at 6.30 pm

### 107. Burnley Local Plan

#### PURPOSE

The purpose of this report is to seek Members' support for a recommendation to Full Council that the Burnley Local Plan Proposed Submission Plan (Appendix 1) be approved for Publication for the seeking of representations as to soundness and legal compliance in accordance with the Council's Statement of Community Involvement (SCI) and statutory requirements.

The Proposed Submission version of the Plan is the Plan which is to be submitted to the Secretary of State for independent Examination.

#### DECISION

1. That Full Council be recommended to approve, **as amended**, the Burnley Local Proposed Submission Plan for Publication for the seeking of representations as to soundness and legal compliance over a 6 week period from **and including** 12<sup>th</sup> April **up to and including** 26<sup>th</sup> May 2017 and its subsequent Submission to the Secretary of State for Examination.
2. That Full Council be recommended to authorise the Head of Regeneration and Planning Policy to make minor editorial changes to the Local Plan Proposed Submission Plan, the accompanying Policies Map, the sustainability appraisal and any other relevant documents prior to Publication and Submission, subject to these not involving the addition or deletion of any site and not otherwise changing the Plan's direction or overall strategy where it is able to do so.
3. That Full Council be recommended to authorise the Head of Regeneration and Planning Policy to propose main modifications to the Plan to the inspector where the inspector has indicated these are necessary to ensure soundness, subject to the caveat that if, in the opinion of the Head of Regeneration and Planning Policy and following consultation with the Portfolio Holder for Regeneration and Economic Development, these changes are considered to be so substantial as to alter the entire plan and its strategy, these will be referred back to Full Council for a decision during the Examination.

#### REASONS FOR DECISION

Local Authorities are required by legislation to prepare a Local Plan to set the local planning framework for their district. The current Burnley Local Plan Second Review adopted in 2006 was intended to cover the period until 2016. Its policies have been 'saved' indefinitely by the Secretary of State until such time as a new plan is put in place.

Failure to have an up to date local plan in place limits the Council's ability to influence the

quantum, location and quality of development in its area. The Government have made clear that they expect Council's to have a local plan in place and are still considering possible sanctions such as intervention by DCLG and/or possible financial penalties for those Councils that do not.

The Council has produced the Proposed Submission version of the Plan in line with the statutory requirement to do so. This version of the Plan is the version that the Council intends to submit to the Secretary of State for independent Examination, prior to it being formally adopted, and as such a decision of Full Council is required by legislation at this stage.

The Council is required by legislation to invite representations on the Proposed Submission Documents (i.e. the Plan, the Sustainability Appraisal and other relevant supporting documents) over a 6 week period prior to Submission. These representations should be on matters of soundness and legal compliance only, but in practice are not restricted to these matters – although these are the only matters the inspector can consider at the Examination.