

Manchester City Council Report for Resolution

Report to: Council - 25 November 2020

Subject: Submission of the Greater Manchester Spatial Framework
Publication Draft 2020

Report of: Strategic Director (Growth and Development)

Summary

This report seeks approval for the submission of the Greater Manchester Spatial Framework (GMSF) pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Consultation on the plan will commence on 1 December 2020 running until 26 January 2021. Once the consultation concludes, the next step is to submit the plan for examination. It is intended that the submission of the plan will take place in mid-2021.

Recommendations

Council is recommended to:

1. agree that the GMSF: Publication Draft 2020 and supporting background documents are submitted to the Secretary of State for examination pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 following the period for representations between 1 December 2020 and 26 January 2021; and
 2. delegate authority to the Lead Chief Executive, Housing, Homelessness and Infrastructure, in consultation with the Portfolio Leader for Housing, Homelessness and Infrastructure to approve any minor or non-material changes to the GMSF: Publication Draft 2020 and background documents following the period for representations and prior to their submission to the Secretary of State for examination.
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Wards Affected - All

Environmental Impact Assessment - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city

The GMSF Publication Draft 2020 is a key final stage of the plan prior to its submission for examination next year. The consultation is statutory stage that provides an opportunity for organisations and individuals to submit their final views on the content of the plan. The GMSF includes objectives and policies that seek to achieve a zero carbon Greater Manchester by 2038. The GMSF also covers a range of issues that will have a direct bearing on successfully meeting the zero carbon challenge by 2038.

Our Manchester Strategy outcomes	Contribution to the strategy
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	The GMSF Publication Draft 2020 covers this outcome, both in the strategic policies and other specific thematic policies. If Greater Manchester is to flourish in the long run then it will need to make the most of its key assets and advantages, which can differentiate it from other places. The growth potential of a small number of locations that can boost international competitiveness will need to be maximised in order to support the prosperity of Greater Manchester as a whole.
A highly skilled city: world class and home grown talent sustaining the city's economic success	The GMSF Publication Draft 2020 covers this outcome, both in the strategic policies and other specific thematic policies. The central theme of the spatial strategy for the plan is to deliver inclusive growth across the city region, with everyone sharing in the benefits of rising prosperity.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The GMSF Publication Draft 2020 covers this outcome, both in the strategic policies and other specific thematic policies. The central theme of the spatial strategy for the plan is to deliver inclusive growth across the city region, with everyone sharing in the benefits of rising prosperity.
A liveable and low carbon city: a destination of choice to live, visit, work	The GMSF Publication Draft 2020 covers this outcome, both in the strategic policies and other specific thematic policies. Objective 7 of the plan seeks to ensure that Greater Manchester is a more resilient and carbon neutral city-region.
A connected city: world class infrastructure and connectivity to drive growth	The GMSF Publication Draft 2020 covers this outcome, both in the strategic policies and other specific thematic policies. Objective 6 of the plan promotes the sustainable movement of people, goods and information. Moreover, Objective 9 of the plan seeks to ensure access to physical and social infrastructure.

Full details are in the body of the report, along with any implications for

- Equal Opportunities Policy
 - Risk Management
 - Legal Considerations
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Financial Consequences – Revenue

The GMSF is a joint Development Plan Document that has been produced by the ten Greater Manchester local authorities and the Combined Authority. Manchester has contributed resources, particularly through officer time, in developing the plan.

Financial Consequences – Capital

No capital costs are involved in this process.

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

GMSF Documents

- Greater Manchester Spatial Framework – Publication Plan (Appendix 1)
- Integrated Appraisal Habitats Regulations Appraisal (Appendix 2)
- Statement of Consultation (Appendix 3)
- GM Strategic Housing Market Assessment
- Economic forecasting
- Employment Land Demand
- GMFM Landscape Character Assessment
- Biodiversity Net Gain

- Strategic Flood Risk Assessment level 2
- GMSF Strategic Viability Assessment
- GM allocations – Viability Assessment
- Carbon & Fracking
- Carbon & Energy Implementation
- Historic Environment
- Land supply data (housing and employment)
- Transport Locality Assessments
- Strategic Modelling Technical note
- Existing Land Supply Technical note
- Transport 2040 Refresh/Delivery Plan
- Heritage/archaeological screening assessments
- Growth and Spatial Options
- Site Selection process
- Overall Green Belt Harm Assessment
- Statement of Common Ground
- Greater Manchester Transport Strategy 2040
- Our Five-Year Delivery Plan (2020-2025)
- Manchester Local Implementation Plan
- District site specific evidence
 - Historic Environment Assessment - GMA11 Roundthorn Medipark Extension
 - Manchester GMSF Allocations: Viability and Deliverability Assessment - AG2 Roundthorn Medipark Extension

1.0 Introduction

1.1 The GMSF Publication Draft 2020 is a key final stage of the plan prior to its submission for examination next year. The consultation is a statutory requirement under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 that provides an opportunity for organisations and individuals to submit their final views on the content of the plan. There have been two previous consultations on GMSF (2016 and 2019) and this Publication version of the plan has been revised to take account of comments from those previous consultations alongside a full suite of evidence base that has informed the plan. The three main documents are appended (as links) as follows:

- [Publication Plan \(Appendix 1\)](#);
- [Integrated Appraisal \(Appendix 2\)](#) that has assessed the plan for its economic, environmental and social impacts; and
- [Consultation Statement \(Appendix 3\)](#) setting out summaries of previous consultations.

1.2 Following consultation on the Publication Plan, the draft plan and the representations made in the Publication stage are sent to the Secretary of State – this is called the ‘Submission stage’, pursuant to Reg. 22 of the Local Planning Regulations. Upon completion of the consultation on the Publication draft, a post-consultation report will be prepared and then the plan will be submitted to the Secretary of State for Examination in mid-2021. Submission requires approval of each of the 10 Full Councils of the GM local authorities.

2.0 Background

Greater Manchester Spatial Framework - Process

2.1 In November 2014, AGMA Executive Board recommended to the 10 Greater Manchester local authorities that they agree to prepare a joint Development Plan Document (“Joint DPD”), called the Greater Manchester Spatial Framework (“GMSF”). Further, the recommendation was that AGMA be appointed by the 10 authorities to prepare the GMSF on their behalf.

2.2 Over the course of 2014/15, the 10 authorities secured the approvals required to enable the GMSF to be prepared and for that preparation to be carried out by AGMA on their behalf. The first draft of the GMSF Joint DPD was published for consultation on 31st October 2016, ending on 16th January 2017. The consultation generated significant interest and over 27,000 responses were received.

2.3 A further consultation on the Revised Draft GMSF took place between January and March 2019. Over 17,000 responses were received. Since the consultation closed, work has been underway to analyse the responses (a consultation summary report was published in October 2019), finalise the evidence base and prepare a further version of the plan.

- 2.4 Progress on the GMSF was delayed due to the Covid 19 pandemic, however AGMA Executive Board in September 2020 agreed that:
- The GMSF would be progressed as a Joint Development Plan Document of the 10 authorities; and
 - The next version of the plan would be the Publication Plan
- 2.5 The 'Publication stage' is a formal consultation on the draft joint DPD pursuant to Reg. 19 of the Local Planning Regulations. It is a statutory stage that provides an opportunity for organisations and individuals to submit their final views on the content of the plan. The decision to 'Publish' the draft joint DPD is an Executive decision for the GM local authorities.
- 2.6 One key supporting document will be a strategic Statement of Common Ground. This will set out the key matters between the ten authorities agreeing on the distribution and quantum of development contained in the Publication Plan. It will also deal with any matters with other organisations that require to be agreed to enable the Publication Plan to be submitted next year. There may be a need for additional Statements of Common Ground to deal with specific matters linked to the proposed site allocations and these will be the responsibility of the relevant local authority to draw up if required.
- 2.7 Following consultation on the Publication Plan, the draft joint DPD and the representations made in the Publication stage are sent to the Secretary of State – this is called the 'Submission stage', pursuant to Reg. 22 of the Local Planning Regulations. Upon completion of the consultation on the Publication draft, a post-consultation report will be prepared and then the plan will be submitted to the Secretary of State for Examination in mid-2021. Submission requires approval of each of the 10 Full Councils of the GM local authorities. Whilst anyone can make a representation on any point, only those pertaining to the 4 tests of soundness¹ will be taken into account by the Inspector(s). If major new issues arise at the Publication Consultation stage there would need to be further consultation prior to any submission of the plan.
- 2.8 An Examination in Public takes place at which a Planning Inspector will consider the joint DPD and representations made in respect of it and determine whether the DPD is capable of being adopted, either with or without amendments.
- 2.9 Assuming that the document is capable of adoption, whether with or without amendments, the ultimate decision to adopt must be taken by each of the 10 Full Councils

3.0 GMSF 2020: Publication Plan (Overview)

- 3.1 The Greater Manchester Plan for Homes, Jobs and the Environment: the Greater Manchester Spatial Framework Publication Plan 2020 (GMSF 2020)

¹ As set out in NPPF para 35

is our plan to manage growth so that Greater Manchester is a better place to live, work and visit. It will:

- set out how Greater Manchester should develop up to the year 2037;
- identify the amount of new development that will come forward across the 10 districts, in terms of housing, offices, and industry and warehousing, and the main areas in which this will be focused;
- identify the important environmental assets across the conurbation which will be protected and enhanced;
- allocate sites for employment and housing outside of the urban area;
- support the delivery of key infrastructure, such as transport and utilities;
- define a new Green Belt boundary for Greater Manchester.

3.2 In general the overall approach of the plan - to concentrate development in the most sustainable locations, increase density of development, move to carbon neutral living, make an explicit commitment to more affordable housing, provide stronger protection for valuable green spaces - was supported and has been carried forward into GMSF 2020.

3.3 A number of key issues were raised which have been considered during the preparation for the GMSF 2020.

- Scale of Greater Manchester's ambition – for both employment and homes.
- Credibility of evidence base – Local Housing Need Methodology, economic forecasts in period of uncertainty
- Brownfield preference/viability of the baseline land supply
- Green Belt release for development – the case for exceptional circumstances
- Sustainability/viability of carbon proposals in the plan
- Infrastructure required to support scale and pattern of growth

3.4 These issues have helped to inform the scope of the further evidence that has been undertaken since March 2019. Given the importance of the plan to the range of communities, organisations and interests across Greater Manchester it is not surprising that the comments received in relation to these issues were often divergent.

3.5 A Consultation Final Report (appendix 3) accompanies the GMSF 2020 which outlines how these issues have been considered and how the plan has been changed as a result of comments made, or why some comments have not resulted in changes.

4.0 GMSF 2020: Publication Plan (Specific Detail)

4.1 Our vision is for a Greater Manchester which has been changed for the better by the experience of Covid, which embraces the acceleration in flexible working and harnesses this to cement the benefits for our towns and cities. This offers a real opportunity to support the transition of our centres as they experience the continued (and possibly accelerated) decline in their traditional

retail role. Greater Manchester needs to be a place where all of our people can access the services they require through high quality digital communications. And one of the biggest lessons of the pandemic is the importance of good quality greenspace close to where people live. This is particularly important in our densely populated and deprived neighbourhoods. Urban greenspace is under pressure and needs to be protected and enhanced wherever possible.

Spatial Strategy

- 4.2 The GMSF 2020 spatial strategy seeks to deliver sustainable, inclusive growth. It has three key elements;
- Significant growth in jobs and housing at the core – continuing development in the ‘core growth area’ encompassing the city centre and beyond to the Etihad in the east, through to the Quays, Trafford Park and Port Salford in the west. The majority of commercial employment growth is proposed in this area and 40% of overall housing supply is found here
 - Boosting the competitiveness of the northern districts – provision of new employment opportunities and commitment that collectively the northern districts meet their own local housing need
 - Sustaining the competitiveness of the southern districts – supporting key economic drivers, for example around Wythenshawe hospital and the Airport, realising the opportunities offered by national infrastructure investment, e.g. HS2, whilst recognising the important green infrastructure assets in the area.

Jobs

- 4.3 Economic growth is central to the overall strategy for Greater Manchester. It will be essential to raising incomes, improving health and quality of life, and providing the finances to deliver better infrastructure, services and facilities.
- 4.4 Greater Manchester has the opportunity to lead with the ‘levelling up’ agenda helping to deliver a more successful North of England and aiding the long-term economic success of the country as a whole.
- 4.5 As such, the GMSF supports high levels of economic growth across Greater Manchester and seeks to put in place the measures that will enable such growth to continue in the even longer-term. However, delivering these high levels of growth means that Greater Manchester will need to continue to invest in the sites and critical infrastructure that will make it an even more attractive place for businesses to invest, bringing high-value, well paid jobs, to the city region, and supporting the continued progress towards a low-carbon economy.
- 4.6 In pursuit of this, the GMSF proposes at least 2,460,000 sq.m. of new office floorspace and at least 4,100,000 sq.m. of industrial and warehousing floorspace across Greater Manchester over the plan period.

Homes

- 4.7 Government has introduced a standard methodology for calculating local housing needs to provide local authorities with a clear and consistent understanding of the number of new homes needed in an area. If insufficient new homes are provided to meet increasing demand, then there is a risk that affordability levels will worsen and people will not have access to suitable accommodation that meets their needs. The construction of new housing is also an important part of the economy, providing large numbers of jobs and often securing the redevelopment of derelict and underused sites.
- 4.8 Applying the current methodology means that around 10,534 new homes will be required across Greater Manchester over the plan period. The plan sets out Greater Manchester's commitment to deliver more affordable housing - 50,000 units over the plan period, including 30,000 for social rent.

Environment

- 4.9 GMSF is not just about accommodating development. It also includes a range of policies designed to protect and enhance Greater Manchester's many and varied green spaces and features which are used in many different ways and afforded many different values by the people who live, work or visit the city-region.
- 4.10 The GMSF supports the important role of Greater Manchester's natural assets by:
- Taking a landscape scale approach to nature restoration;
 - Seeking to protect and enhance Greater Manchester's network of green and blue infrastructure;
 - Seeking a significant overall enhancement of biodiversity and geodiversity; and
 - Seeking to maintain a new and defensible Green Belt which will endure beyond this plan period.
- 4.11 Furthermore, the GMSF supports wider strategies around clean air, walking and cycling and underpins Greater Manchester's ambition to be a carbon neutral city-region by 2038. A key element of this is to require all new development to be net zero carbon by 2028 and to keep fossil fuels in the ground.

Brownfield land preference

- 4.12 There is a strong focus in the GMSF on directing new development towards sites within the existing urban area, which are often in sustainable locations, close to facilities and served by existing infrastructure. Maximising the use of land in the urban area reduces the need to release greenfield and Green Belt land for development.

- 4.13 The land supply identified for development in the plan is largely within the urban area:
- Offices - 99%
 - Industry and Warehousing- 47%
 - Housing - 88%
- 4.14 There are significant viability issues in parts of the conurbation and there is a need to continue to press Government for support to remediate contaminated land, to provide funding for infrastructure and to support alternative models of housing delivery. The recently announced Brownfield Land Fund is targeted at Combined Authorities and the £81m allocated to Greater Manchester begins to help to address viability issues but it is not enough to enable the full potential of our brownfield land supply to be realised.

Green Belt

- 4.15 GMSF 2020 proposes a limited release of a Green Belt for both housing and employment. The net loss of Green Belt is 1,939 hectares. This represents a significant reduction (over 60%) in the amount of Green Belt release than was proposed in the 2016 GMSF. This has been achieved through:
- Reducing a number of sites
 - Reducing the extent of Green Belt release within sites and retaining more Green belt within some sites
 - Proposing a limited number of Green Belt additions
- 4.17 The proposals in GMSF would result in the overall extent of the Greater Manchester Green Belt reducing by 3.25%. The current Greater Manchester Green Belt covers almost 47% (46.9%) of the land area of Greater Manchester, the proposals in GMSF 2020 would reduce this by around 1.5% meaning that over 45% (45.3 %) of Greater Manchester land area would be designated Green Belt.

GMSF 2020: Publication Plan (Manchester Aspects)

- 4.18 The plan includes specific policies and allocations that directly relate to Manchester including:
- Delivery of around 50,000 new homes; and over 2.3 million square metres of office floorspace in Manchester by 2037;
 - Policies to deliver growth and regeneration across the City;
 - Seeking to achieve a carbon neutral city no later than 2038;
 - Policies across a range of other themes including flood risk, water resources, air quality, economic and housing matters, heritage, culture, education and skills, health, and sport and recreation; and
 - Specific allocations identified in the plan for Manchester for new jobs at the airport and Wythenshawe Hospital; and new housing at Southwick Park.

4.19 The GMSF, on adoption, will supersede some of the policies in Manchester's Core Strategy. Appendix 4 sets out a table that identifies the policies in the Core Strategy that will be, in part, replaced by the GMSF. The information in this table will be included in the consultation on the GMSF: Publication Draft 2020. Following and informed by the consultation, further consideration can be given to which aspects of the Core Strategy will be replaced by the GMSF allowing for any necessary amendments to be made prior to submission of the GMSF next summer.

5.0 Integrated Appraisal

5.1 As part of the development of the GMSF 2020, an Integrated Assessment (IA) has been undertaken incorporating the requirements of:

- Sustainability Appraisal (SA): mandatory under section 19 (5) of the Planning and Compulsory Purchase Act 2004.
- Strategic Environmental Assessment (SEA): mandatory under the Environmental Assessment of Plans and Programmes Regulations 2004 (which transpose the European Directive 2001/42/EC into English law).
- Equality Impact Assessment (EqIA): required to be undertaken for plans, policies and strategies by the Equality Act 2010.
- Health Impact Assessment (HIA): there is no statutory requirement to undertake HIA, however it has been included to add value and depth to the assessment process.

5.2 The IA contributes to the development of the GMSF through an iterative assessment, which reviews the draft policies and the discrete site allocations against the IA framework. Stakeholder consultation is a significant part of the IA, and opinions and inputs from stakeholders have been sought on previous iterations and will be sought on this 2020 IA, as part of the consultation on the 2020 draft GMSF.

5.3 A Habitats Regulations Assessment (HRA) refers to several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it.

5.4 All plans and projects (including planning applications) which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. If a proposed plan or project is considered likely to have a significant effect on a protected habitats site (either individually or in combination with other plans or projects) then an Appropriate Assessment of the implications for the site is required.

5.5 The Greater Manchester Spatial Framework (GMSF) is regarded as a Plan which is considered likely to have significant effect on one or more European protected site and has been subject to an HRA.

6.0 Evidence Base

6.1 A comprehensive evidence base has been assembled to support the policies and proposals in the GMSF 2020. The background papers are listed at the front of this report which have informed the plan and which will be made available in advance of the formal consultation start on 1 December via the GMCA website. This evidence base remains draft until all 10 councils have approved the GMSF 2020 for Publication, as any potential changes that might be agreed during the approval process may require some changes to the evidence

7.0 Consultation Proposals for GMSF

7.1 The consultation will be carried out in line with the requirements of Manchester's Statement of Community Involvement². The government has been clear that the challenge posed by Covid 19 is not a sufficient reason to delay local plan preparation. Equally however, all members of society are required to adhere to guidance to help combat the spread of coronavirus (Covid 19). The guidance has implications for how the public are engaged and the ability of the districts to comply with policies including those set out in their Statements of Community Involvement. Government issued emergency legislation to remove the need for hard copies of the plan to be available in town halls/libraries and advised local authorities to review their SCI to ensure that consultation can take place in a Covid compliant way. The current Manchester SCI enables compliance with the emergency legislation to be adhered to.

7.2 However, effective community engagement must be promoted by means which are reasonably practicable. Government guidance strongly encourages the use of online engagement methods. Engagement strategies are being prepared which consider the use of the following;

- virtual exhibitions,
- digital consultations,
- video conferencing,
- social media and online chat functions

7.3 Reasonable steps need to be taken to ensure sections of the community that don't have internet access are involved and consider alternative and creative ways to achieve this. This could include;

- engaging sections of the community, that do not have internet access, through representative groups rather than directly;
- targeting those most affected by proposals;
- using existing networks;

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- allowing individuals to nominate an advocate to share views on their behalf;
- Providing telephone information lines; and
- Providing timed face-to-face information sessions for community representatives (maintaining social distancing).

7.4 Given the uncertainty around the type of local/national lockdown which may be in place at the time the consultation, different scenarios are being developed to respond to different levels of social distancing/public interaction which may be possible.

8.0 Contributing to a Zero-Carbon City

8.1 The GMSF includes objectives and policies that seek to achieve a zero carbon Greater Manchester by 2038. The GMSF also covers a range of issues that will have a direct bearing on successfully meeting the zero carbon challenge by 2038.

9.0 Contributing to the Our Manchester Strategy

(a) A thriving and sustainable city

9.1 The GMSF Publication Draft 2020 covers this outcome, both in the strategic policies and other specific thematic policies. If Greater Manchester is to flourish in the long run then it will need to make the most of its key assets and advantages, which can differentiate it from other places. The growth potential of a small number of locations that can boost international competitiveness will need to be maximised in order to support the prosperity of Greater Manchester as a whole.

(b) A highly skilled city

9.2 The GMSF Publication Draft 2020 covers this outcome, both in the strategic policies and other specific thematic policies. The central theme of the spatial strategy for the plan is to deliver inclusive growth across the city region, with everyone sharing in the benefits of rising prosperity.

(c) A progressive and equitable city

9.3 The GMSF Publication Draft 2020 covers this outcome, both in the strategic policies and other specific thematic policies. The central theme of the spatial strategy for the plan is to deliver inclusive growth across the city region, with everyone sharing in the benefits of rising prosperity.

(d) A liveable and low carbon city

9.4 The GMSF Publication Draft 2020 covers this outcome, both in the strategic policies and other specific thematic policies. Objective 7 of the plan seeks to ensure that Greater Manchester is a more resilient and carbon neutral city-region.

(e) A connected city

- 9.5 The GMSF Publication Draft 2020 covers this outcome, both in the strategic policies and other specific thematic policies. Objective 6 of the plan promotes the sustainable movement of people, goods and information. Moreover, Objective 9 of the plan seeks to ensure access to physical and social infrastructure.

10.0 Key Policies and Considerations

(a) Equal Opportunities

- 10.1 The GMSF is a statutory plan which seeks to contribute to the achievement of sustainable development, delivering economic, social and environmental benefits together in a mutually reinforcing way. It is informed by an Integrated Appraisal which includes an equalities assessment.

(b) Risk Management

- 10.2 Risks have been identified that could impact on the consultation timetable and potentially delay the GMSF. The most obvious is a second spike in Covid 19 either nationally or locally. This could affect:
- the ability to complete all of the work needed if staff and consultant support is affected (either by staff absence or redeployment / furlough);
 - the timescales needed to respond to the evidence and the ability to consult meaningfully/fairly if the region/country is in lockdown.
- 10.3 Mitigation measures including local outbreak management plans will be in place and these will be taken into account as GM develops the plan and our consultation strategies.
- 10.4 A further risk is to note that Government published 'Planning for the Future' White Paper on 6 August 2020. This proposes significant reform of the planning system including the development plan process. The consultation ends on 29 October. The changes proposed would require primary and secondary legislation. No timescale is given for this, however it is considered unlikely that this will be in place before late 2021/early 2022. Additionally, Government is consulting on some more immediate changes to the planning system, including a proposed new Local Housing Need methodology. The figure for Greater Manchester is slightly lower than the current LHN figure (10,234 as opposed to 10,543). This consultation ended on 1 October. Given the level of uncertainty around the timescales associated with these consultations, it is not considered appropriate to delay the consultation on the Publication Plan GMSF at this time.

(c) Legal Considerations

- 10.5 The legislative and constitutional requirements for the preparation of a joint Development Plan Document (DPD) in the Planning and Compulsory Purchase Act 2004 (“2004 Act”) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (“2012 Regulations”) have been complied with.
- 10.6 The joint DPD will be submitted to the Secretary of State for independent examination (s20 of the 2004 Act) along with the documents prescribed by Regulation 22 of the 2012 Regulations. Prior to submission to the Secretary of State, the draft joint DPD must be published and representations invited, pursuant to Regulation 19 and Regulation 20 of the 2012 Regulations.
- 10.7 If the draft joint DPD is not prepared in accordance with the 2004 Act and the 2012 Regulations, any subsequent attempt to adopt the plan would be susceptible to challenge.