

Planning & Economic Development Scrutiny Panel

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REPORT

LOCAL DEVELOPMENT FRAMEWORKS

1.0 PURPOSE OF REPORT

The following report has two principal aims,

- a) to inform members about the requirements of the 2004 Planning and Compulsory Purchase Act as far as it relates to planning policy formulation
- b) to seek the views of members regarding areas for policy review in the period up to 2007, taking into account the statutory requirements which must be met in this period and within the current resources available to the Forward Planning Service.
- c) To set out how the Panel will be asked to prioritise non-statutory work elements when this matter is brought back to them in September

2.0 BACKGROUND

In December 2001, the Government issued its planning Green Paper entitled "*Planning – Delivering a Fundamental Change.*" This document recognised that the planning process as a whole (i.e. aspects of Development Control and Development Planning) was in need of reform to become more effective and inclusive in what it sets out to do.

In its appraisal of the current system the green paper considered that the current plan making system was complex, slow and unpredictable, and most critically, it failed to properly engage communities about proposals in their areas.

In October 2003, the Office of the Deputy Prime Minister (ODPM) published a consultation document outlining the nature of the new planning policy hierarchy as well as some details about how the various components would work. In January 2004, Planning and Economic Scrutiny Panel were presented with the draft arrangements and members engaged in a long and wide ranging discussion about the relative merits of the new system, making a number of comments which were then agreed by the Cabinet and submitted to the ODPM.

On 13th May, 2004 the Planning and Compulsory Purchase Bill was given Royal Assent and this paves the way for the new plan making system to come into being. The Commencement of the Act (i.e. when the legislation comes into operation) is now scheduled to be in September and at around this time final revised guidance for Local Planning Authorities will be issued.

3.0 INFORMING MEMBERS ABOUT THE NEW POLICY FRAMEWORK

Attached to this report is a copy of the slides which will be presented to members at the committee meeting. These slides aim to concentrate the essence of what is being proposed and members are encouraged to question any specific matters which require further clarification. Following the circulation of this report (and associated presentation) to all the Area Committees and the Planning and Economic Development Scrutiny Panel, further information statements will be prepared if this is considered to be helpful. For members wishing to find out more, draft Planning Policy Statement 12 is available to read via the following web address, however it should be noted that this guidance is subject of revision as set out at the end of section 2 of this report.

http://www.odpm.gov.uk/stellent/groups/odpm_planning/documents/page/odpm_plan_024633.pdf

4.0 PRIORITISING POLICY WORK COMPONENTS

As is set out in the attached slides, the Council is required to initially prepare a Local Development Scheme (LDS) as part of its Local Development Framework (LDF). The LDS is effectively the Council's work programme for a 3 year period which will need to be reviewed annually. The LDS has two main purposes,

- a) To act as a formal work programme for the development of the Council's initial LDF and then as a means to ensure the LDF's content is kept current. Government Office will use the document and its milestones to assess performance and make awards of Planning Delivery Grant (PDG)
- b) As a public document it enables parties with an interest in development matters to keep abreast of when particular policy issues are being reviewed, and the timing of the stages through which each review will pass through. This will assist in improving participation and understanding of the processes involved.

By December 2004, the Council must submit its LDS to the Government Office and gain approval of its content. In essence this exercise is a means to demonstrate that the Council's proposals are, firstly, in keeping with the requirements of the Act, but secondly are realistic and achievable. Clearly the LDS must reflect the amount of work which is required to be undertaken and make a realistic balance of this against the resources and time available.

In terms of work areas which are requirements of the new regulations,

- **Local Development Scheme** – to be completed and submitted to Government Office in the Autumn
- **Statement of Community Involvement** – to be prepared as early as possible in 2005. This will form the basis of consultation and engagement for all future work on the LDF and its components.
- **Area Specific Policies - New Housing Allocations** – this will be required to address the need for an adequate supply of housing land as set out in PPG3. The scale and distribution of new provision will be directed by the requirements of the new 2016 Structure Plan which will be adopted during 2005.
- **Core Strategy** – The development of the Core Strategy will require extensive consultation and engagement of the public and other stakeholder to ensure that it is well informed by local views and information. The development of objectives within the Council's Core Strategy will be delayed to take account of new Regional Spatial Strategy (RSS) which is due in early-mid 2006.
- **District Wide Policies** – Having prepared the Core Strategy, the Council will be in a better position to review the remainder of its policies in the period up to 2007 when the ODPM expects authorities to have LDF's firmly in place.

Further to these statutory expectations, the new process provides an opportunity for Local Planning Authorities to undertake more rapid reviews of discrete topic areas. Most authorities are likely not to take

advantage of this opportunity and instead focus upon the establishment of the LDF documents. However, it is apparent that there are a number of significant issues which members have already prioritised for review, namely,

- **Affordable Housing** - The Council's current affordable housing policies, despite being bolstered by Supplementary Planning Guidance, are still derived from the position established in 1998. In order to establish lower thresholds for qualifying sites and look at more proactive measures to encourage provision in Rural Areas a review of the policy is required.
- **Community Tariffs - Widening the Scope of R2** - The Planning and Economic Development Scrutiny Panel undertook a review of R2 in 2003/04 which concluded, in part, that there was a case for extending the scope of the policy to address other community infrastructure deficiencies arising from new development pressures. In light of this, there is a need to investigate the scale of shortfalls in community infrastructure provision as a means to inform whether it would be appropriate to collect developer contributions for other uses. Should this exercise uncover such a need, the Council will aim to review policies in this area (e.g. R2, G9).
- **Loss of Employment Land and Services** – Small scale employment sites in rural areas do provide limited opportunities for people to live and work in the same settlement in the same way that offices and business units in and around Salisbury and the other main towns/villages in the district contribute to the vibrancy and vitality of those places. Further to this local services (e.g. post offices, pubs, etc.) contribute to the self containment of communities making it more possible to gain a range of daily needs without resorting to car borne travel. These types of land uses clearly contribute to a sustainable pattern of development.

However, the government's focus on the redevelopment of brownfield sites, whilst being positive in terms of reducing the need for greenfield sites, has had the side effect of eroding the supply of local employment sites, particularly in rural areas. The Council does not dispute the fact that some employment sites are inappropriately located or are uneconomic to redevelop, however in the current buoyant housing market there is a temptation for landowners to downplay the prospects of a site to justify the financial windfalls associated with housing redevelopment.

Members have concluded on a number of occasions that the tests applied to the release of employment land are not stringent enough and that there needs to be a greater consideration of how the loss of a site, more often than not to a residential use, will undermine the ability of a settlement to remain as a functioning entity.

5.0 IDENTIFYING OTHER AREAS FOR POLICY REVIEW

Section 4 of this report has set out areas of work which the Council is required to undertake to meet the requirements of the new planning act by 2007. Furthermore, 3 additional policy issues were identified for review as a result of the Council's expressed concerns in these areas and it is proposed that these are examined in a review commencing in early 2005. In addition to these issues, members of the Area Committees are currently being asked to consider which other areas of policy are in need of urgent review (i.e. within the next 12-18 months). In identifying areas for review, members have been asked to note the following points,

- the Forward Planning Team has limited resources and there will probably only be scope for the review of a small number of additional issues in the next year or two.
- That in 2006/07 following the adoption of the Core Strategy there will be the opportunity for a wider review of policies, and so the relative urgency of the matter should be balanced against this fact.

Without seeking to pre-empt the inputs of the Area Committees into the LDF work programme, it may well be the case that a considerable number of issues are raised for review during the circulation of this report. In this event, officers will need to consider the importance of reviewing each identified area of work and then

report back to the Planning and Economic Development Scrutiny Panel who will be asked to prioritise the workload which is most important in meeting the Council's overall objectives. The proposals set out in Community Plans should also inform this process and officers will ensure that the South Wiltshire Strategic Alliance makes comment in the report to assist members in their deliberations. The desired outcome of this meeting is that a manageable workload is recommended for inclusion within the Council's Local Development Scheme (LDS) which will then be presented to Cabinet for approval. Following this the Local Development Scheme will be submitted to Government Office for their approval.

RECOMMENDATION

- a) That Members note the informative content of the attached slides
- b) That Members note section 5 of this report and agree the methodology concerning the prioritisation of work elements for inclusion within the Councils Local Development Scheme.

Background Papers:

Planning Policy Statement 12 (draft) - ODPM (and associated guidance notes) – website link referred to in report
Adopted Salisbury District Local Plan (2003)

Implications:

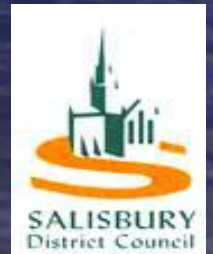
- **Financial:** The new LDF proposals set out in the attached slides is the replacement for the Local Plan. The LDF process is a statutory function of the Council and budgets for the process will be agreed at part of the normal liaison between planning and financial services.
- **Legal:** No comments at this stage
- **Human Rights:** The LDF process has to undergo a prescribed statutory process, which must be human rights compliant
- **Personnel:** None at this stage
- **Community Safety:** None at this stage
- **Council's Core Values:** Excellent service, thriving economy, fairness & equality, willing partner, communicating with the public, supporting the disadvantaged, protecting the environment.
- **Ward(s) Affected:** All Wards

Introducing Local Development Frameworks (LDFs)

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Content

- Review of changes across Policy and Plan Making
- LDF – Concepts
- LDF – Structure and Components
- Moving from Local Plan to LDF
- The Policy Making Process
- Community Planning and the LDF
- Prioritising Areas for Review
- Questions

Key Changes to Plan Making

2004 Planning & Compulsory Purchase Act

- National Level PPGs to be replaced by more concise and approachable **Planning Policy Statements (PPSs)**
- An enhanced role for Regions – strategic policy to be concentrated in **Regional Spatial Strategies (RSS)**
- County **Structure Plans** will be abolished
- Local Plans to be replaced by **Local Development Frameworks (LDFs)** over a period of 3 years

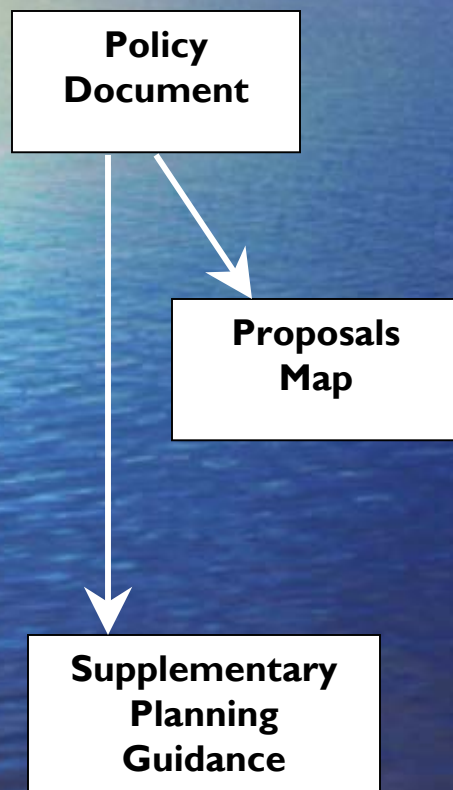
Introducing the LDF

Concepts

- **Evolution** of Local Plans, not wholesale change.
- A **flexible format** which allows for ‘**bitesized**’ updating of topic areas or individual policies.
- Local Development Scheme will **clearly timetable the process**
- **Community engagement standards** to be agreed in a Statement of Community Involvement
- Delivery mechanism for **Community Plan** objectives
- ‘**Soundness**’ of the whole LDF will be the focus at examination.

LDF : Structure

Old Local Plan Format



New LDF Format



LDF : Components (I)



Core Strategy

- Establishes an overarching vision for development in the district
- District wide appraisal
 - Environment
 - Economic Development
 - Social issues
 - Issues of adjacent areas
- Identifies opportunities and threats to address
- Sets out key Planning objectives as a basis for policies
- Basis for the whole LDF

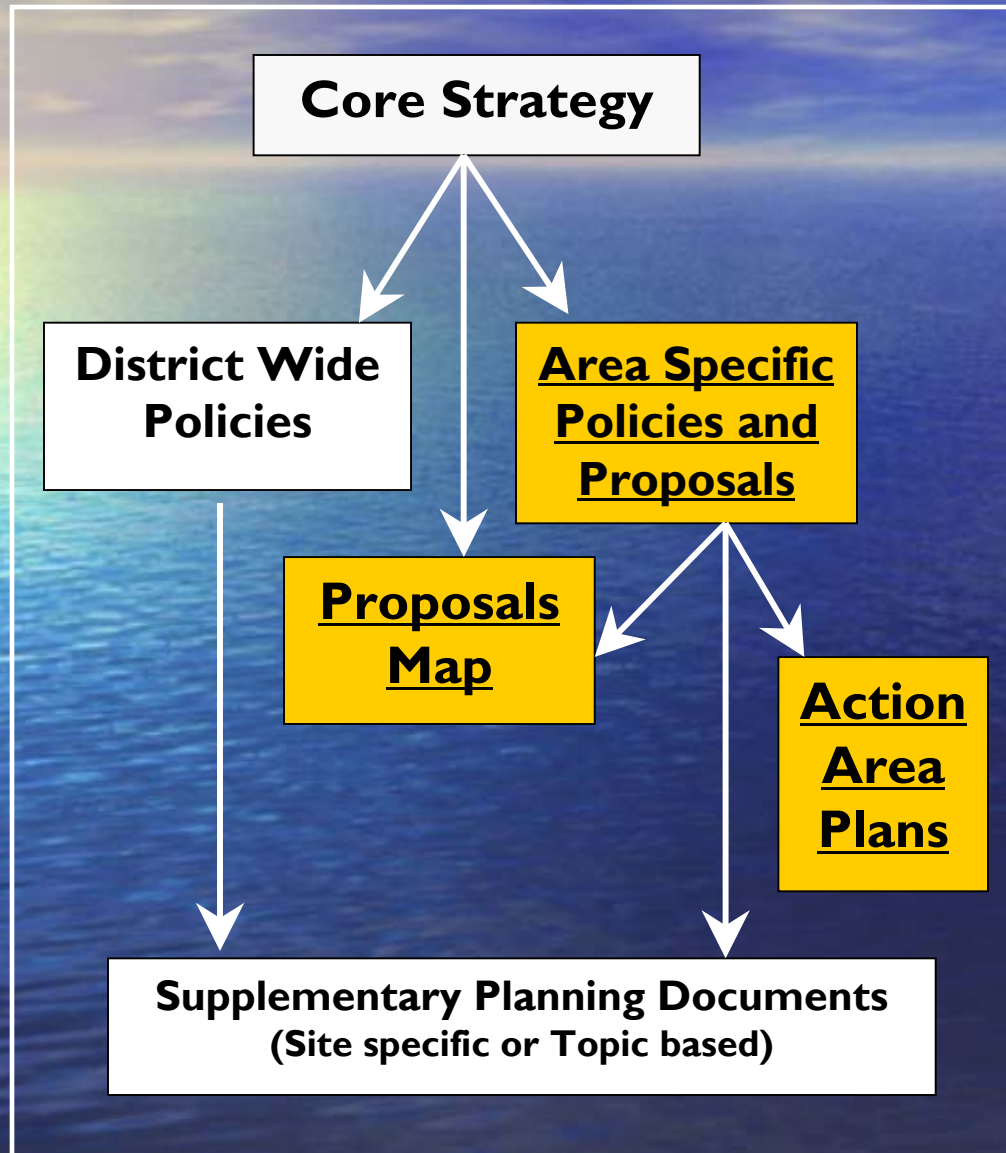
LDF : Components (2)



District Wide Policies

- Sets out policies which are applicable to any proposal in the district
- Policies will reflect,
 - National Guidance (PPG/PPS)
 - Regional Guidance
 - The LDF Core Strategy
- Policies will generally not relate to discrete locations.
- Policies will still be grouped into topic based sections

LDF : Components (3)



Area Specific Policies

- Identifies allocations of land
- Policies specific to a location or area (e.g. AONB, Conservation Areas)
- Policies will be linked to defined areas shown on the Proposals Map

Action Area Plans

- A more detailed policy document aimed at areas where significant change is planned (e.g. urban regeneration scheme)

LDF : Components (4)



Supplementary Planning Documents (SPD)

- More detailed policy documents which address specific issues related to a policy or development site

e.g Development Briefs
Affordable Housing
Sustainability

LDF : Components (5)

Supporting Non-Policy Documents

Statement of Community Involvement

- A binding statement of how the Council will run the plan preparation process and engage people
- Sets out **standards for public engagement** and participation
- The statement itself will be the subject of consultation.

Local Development Scheme

- Establishes a **timetable** for LDF policy work
- Aims to be an accessible means to keep abreast of plan making for developers, the public and other stakeholders
- Programs work for a **3 year period**

Moving from Local Plan to LDF

- Current Local Plan will remain active until at least 2006
- All recipients of the current Local Plan and a revised list of consultees (inc. Parish Councils) will automatically be kept up to date with activity and updates of policy in the plan.
- By 2007, the Local Plan will be transposed into LDF
- Local Plan policies can be carried over to the LDF format
 - Subject to their conformity with national/regional and core strategy
- Up to date position at www.salisbury.gov.uk/LDF
 - Site to be up and running by September 2004

The LDF Policy Making Process

- Each review exercise will typically consist of –
 - Background research and appropriate informal consultation
 - Publication of issues and options for public consultation
 - Selection and publication of preferred option for public consultation
 - Refining of policy approach in light of consultation
 - Submit new policies to Sec. of State and formal 6 week consultation
 - Independent Public Examination process - if required
 - Inspector publishes ‘binding’ report
 - Adoption of new policies/proposals

All consultation/participation to be undertaken in line with the Council’s Statement of Community Involvement

Community Planning and the LDF

- Under the 2000 Local Government Act, all Councils are required to prepare a **Community Strategy**
- Community Strategy is prepared by the Local Strategic Partnership (**South Wiltshire Strategic Alliance**) which consolidates and coordinates proposals from Local Community Plans, Parish Plans, etc.
- The Local Development Framework is required to take account of the Community Strategy with the aim of **delivering land use related objectives**.
- A word of caution – Planning policy must be soundly justified so **community planning objectives must be robust, realistic and enjoy support from communities as a whole**.

Prioritising Policy Work (I)

Statutory LDF Priorities

End 2004 : Local Development Scheme

(following submission to, and approval by, Government Office)

2005 : Statement of Community Involvement

2005-06 : Area Specific Proposals : Housing Allocations

(to address the requirements of the new 2016 Structure Plan)

2005-07 : Core Strategy

(delayed to take account of new regional strategy due in mid 2006)

2006-07 : District Wide Policies

Prioritising Policy Work (2)

Local Policy Priorities for 2004-05

To be prioritised by the Council for inclusion in the LDS

- Affordable Housing Policies
- Community Tariffs – widening the scope of R2
- Retention of community services and employment land
- Any other critical issues identified

Introducing
LDFs

Questions ?