

CABINET (LOCAL DEVELOPMENT FRAMEWORK) COMMITTEE

7 JUNE 2007

UPDATE ON LOCAL DEVELOPMENT SCHEME 2007

REPORT OF HEAD OF STRATEGIC PLANNING

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RECENT REFERENCES:

CAB1223 – 'Winchester District Local Development Scheme (Revised)', Cabinet 01.03.06
CAB1389 – 'Local Development Scheme 2007', Cabinet 17.1.07

EXECUTIVE SUMMARY:

The Council is required to produce a Local Development Scheme (LDS) that provides a programme for the production of the Council's Local Development Framework (LDF) for the next three years. The Council has an existing LDS adopted in April 2006. In January 2007 Cabinet agreed to update the LDS to reflect changes that have occurred during the previous year and to introduce new elements that are required for the LDF. Cabinet agreed a revised LDS for implementation as from March 2007, covering the period March 2007 – March 2010.

The revised LDS was subsequently submitted to the Government Office for the South East (GOSE). Having examined the revisions, GOSE has requested various changes and issued a 'holding direction' to give them more time to do so. Their main concern regards the timescale for production of the Development Provisions and Allocations Development Plan Document.

This report outlines the Government Office's concerns and possible ways of resolving them.

RECOMMENDATIONS TO CABINET:

- 1 That the revised programme for the Development Provisions and Allocations DPD set out at Appendix 1 be agreed, with authority delegated to the Head of Strategic Planning, in consultation with the Portfolio Holder for Planning and Transport, to make further limited changes as necessary.
- 2 That the 'profile' for the Development Control Policies DPD be removed from the revised LDS and the background text be amended to refer to this being produced following the Development Provisions DPD.

CABINET (LOCAL DEVELOPMENT FRAMEWORK) COMMITTEE7 JUNE 2007UPDATE ON LOCAL DEVELOPMENT SCHEME 2007REPORT OF HEAD OF STRATEGIC PLANNINGDETAIL:1 Introduction

- 1.1 The Local Development Scheme (LDS) is a three year rolling programme for the production of Local Development Documents (LDDs) under the new planning system of Local Development Frameworks (LDF) introduced in the 2004 Planning Act. The preparation of a Local Development Scheme (LDS) is a statutory requirement and the Council's first LDS was published in March 2005.
- 1.2 The LDS outlines what new documents will be prepared, which will form the LDF, together with any documents such as the Winchester District Local Plan Review (WDLPR) which are to be 'saved' until replaced by new LDDs. The LDS includes a supporting statement which describes the approach taken to developing the LDF.
- 1.3 Local planning authorities are required to keep the LDS up-to-date. Following monitoring in December 2005, the Council updated Winchester's LDS in March 2006 (CAB 1223, 1st March 2006 refers). Cabinet agreed in January 2007 to make further updates to the scheme, and a revised LDS was submitted to the Government Office (GOSE) at the beginning of February.
- 1.4 Several changes were proposed to the LDS, the most important being those relating to new or amended Local Development Documents. The four main reasons why changes were being proposed were:
 - Updating of the programme for the various LDDs, to take account of slippages and changes in programmes;
 - Changes to reflect the experience of other authorities in progressing Core Strategies, especially the need for a robust evidence base;
 - Changes to the programme for the South East Plan, which has knock-on effects on the LDF;
 - The need for additional documents to be added, especially Supplementary Planning Documents (SPDs).
- 1.5 Following submission to GOSE, a period of 4 weeks is allowed for GOSE to comment, after which the LDS comes into effect. This was due to happen in early March but, before the end of the 4-week period, GOSE issued a 'holding direction' to stop the LDS coming into effect until their concerns had been addressed. GOSE raised a series of concerns, about which there has been discussion with officers. The main issue relates to the programme for producing the Development Provisions and Allocations DPD and the fact that there would be a significant gap between the end date of the saved Local Plan Review and the adoption of the Development

Provisions DPD. GOSE are concerned that this could lead to problems in maintaining an adequate housing land supply. This issue and the potential options are considered below

2 Changes to the LDS sought by GOSE

- 2.1 The submitted revised LDS proposed the production of three key Development Plan Documents (DPDs): the Core Strategy, the Development Provisions DPD and the Development Control Policies DPD. These would be produced in sequence with the Core Strategy proposed for adoption in December 2009, the Development Provisions DPD in May 2012 and the DC Policies DPD also in May 2012.
- 2.2 It is clear that GOSE sees the priority being housing delivery and is therefore keen that the adoption of the Development Provisions DPD should be as soon as possible. They want to avoid a significant gap between the end date of the saved Local Plan Review (April 2011) and adoption of the Development Provisions DPD and therefore want less time and more resources to be taken to produce this DPD.
- 2.3 GOSE suggest that the Development Control Policies DPD should be removed from the LDS as a firm commitment, or at least delayed, so as to release resources for the Development Provisions DPD. They feel that an excessive period has been allowed between submission of the Development Provisions DPD and receipt of the Inspector's Report. The revised LDS suggests this period would be 2 years whereas GOSE and the Planning Inspectorate suggest allowing 1 year. They point out that the Council cannot change the DPD after submission and that it should be 'sound' at this stage – if necessary it may be appropriate to allow more time prior to submission.
- 2.4 In response to this advice officers have submitted a suggested revised programme for the Development Provisions DPD to GOSE, which they believe will be acceptable, but are awaiting a formal response. This is set out in Appendix 1 and envisages the DPD being adopted in September 2011.
- 2.5 It is, therefore, anticipated that agreement can be reached on the Development Provisions DPD (and changes proposed by the Planning White Paper may well mean that it needs further updating anyway). However, GOSE remain strongly of the view that the LDS should no longer include a firm programme for the Development Control Policies DPD, but should just refer to it as a document planned for the future but with no set timescale. They advise that the Council's Core Strategy can be more detailed than originally anticipated and can refer to the location of key development areas and contain the main development control requirements, such as for affordable housing, sustainable development, etc.
- 2.6 The changes sought by GOSE are very significant and would go well beyond the 'minor changes' which Cabinet gave delegated authority for the Chief Executive and Portfolio Holder to agree. The removal of the programme for the DC Policies DPD, in particular, is something which Cabinet should consider. The implication of delaying the DC Policies DPD is that any updating of the detailed policies in the Local Plan Review would be delayed. Key strategic policies such as the location of substantial development or proportion of affordable housing provision can be determined through the Core Strategy, so these aspects of the Local Plan will be updated. There may also be various other policies in the current Local Plan which will remain valid for a long period, such as those relating to development in the countryside, design or conservation. The implication is that more of the Local Plan would need to be 'saved' after its end date of 2011 than was originally envisaged.

- 2.7 Given the clarification that is emerging about the role of the Core Strategy and the level of detail it can include, delays in the production of the DC Policies DPD may not be a significant issue. It is therefore proposed that, in order to reach agreement with the Government Office and put the LDS in place, the 'profile' for the DC Policies DPD be removed and the background text be amended to refer to this being produced following the Development Provisions DPD, the detailed programme to be determined. It is also recommended that the revised programme for the Development Provisions DPD as set out at Appendix 1 be agreed, subject to any further limited revisions necessary to satisfy GOSE and the Planning Inspectorate.

3 Conclusion

- 3.1 It is proposed that Cabinet agrees to modify the revised 2007 LDS, as submitted to GOSE earlier this year, so as to amend the programme for production of the Development Provisions DPD and to remove the detailed programme for the DC Policies DPD. This should enable the LDS to be agreed by GOSE whilst still enabling key strategic issues to be addressed, through the LDF Core Strategy.

OTHER CONSIDERATIONS:

4 CORPORATE STRATEGY (RELEVANCE TO):

- 4.1 As part of ensuring effective spatial planning of the District, the LDS will have relevance to many of the stated aims of the Council's Corporate Strategy.

5 RESOURCE IMPLICATIONS:

- 5.1 There are not likely to be any significant resource implications from the recommended decisions.

BACKGROUND DOCUMENTS:

Email correspondence between officers and the Government Office.

APPENDICES:

1. Recommended revisions to Development Provisions DPD 'profile'.

Development Provision and Allocations	
Document Details	
Role and content	This Development Plan Document will allocate sites required to meet development requirements.
Geographical coverage	Winchester District
Status	Development Plan Document (DPD)
Chain of Conformity	With the Local Development Framework's Core Strategy.
Timetable of Key Stages (Key Milestones shown in Italics)	
<i>Pre-production: Including commencement of document preparation.</i>	July 2007 - October 2008
Production: Preparation of issues and alternative options, and initial sustainability appraisal report.	October 2008 - May 2009
<i>Consultation on preferred options and consideration of responses. Preparation of formal sustainability report.</i>	June 2009 – June 2010
<i>Submission of Development Plan Document and sustainability appraisal report to the Secretary of State</i>	July 2010
Public consultation period on the submitted document and sustainability appraisal report	July – Aug 2010
Examination: Pre-examination consideration of representations	Sept 2010 - Oct 2010
<i>Pre examination meeting</i>	Oct 2010
<i>Commencement of the examination followed by the examination period</i>	Jan 2011 – Feb 2011
Receipt of the Inspector's binding report	Aug 2011
Adoption: Adoption and publication of document and revised proposals map	Sept 2011
Arrangements for Production	
Process management (Departmental Responsibility)	Strategic Planning Team with input from other Council services.
Management arrangements	Overall project management by Cabinet (LDF) Committee. Day to day management by the Head of Strategic Planning working in conjunction with other Council officers through a Steering Group.
Internal resources	Strategic Planning Team working in conjunction with other Council officers. Progress subject to adequate budget provision.
External resources	Use of County Council officers and specialist consultants as required.
Community and stakeholder involvement	As set out in the Statement of Community Involvement, including key links with the Local Strategic Partnership.