

<b>MEETING:</b>	<b>ENVIRONMENT SCRUTINY COMMITTEE</b>
<b>DATE:</b>	<b>13 SEPTEMBER 2010</b>
<b>TITLE OF REPORT:</b>	<b>LOCAL DEVELOPMENT FRAMEWORK</b>
<b>REPORT BY:</b>	<b>ANDREW ASHCROFT, ASSISTANT DIRECTOR, ENVIRONMENT PLANNING AND WASTE</b>

**CLASSIFICATION** Open

### **Purpose**

To update the Committee on progress with the Local Development Framework

### **Recommendation**

**THAT: The report be noted**

### **Key Points Summary**

- The main consultation on the emerging Local Development Framework took place in January, February and March 2010 under the title of "Place Shaping Paper" and achieved a high level of response. The consultation results have been published on the Council's website
- Advice from the Planning Inspectorate in February was that, where more than one option was suggested in the Place Shaping Paper these needed to be refined down to a single Preferred Option and a further consultation be undertaken. That "Follow-on" consultation is being done in stages from July through to November 2010, starting with three of the Market Towns, the Rural Areas and a package of general policies in July, August and September, to be followed with consultation on the Preferred Options for Hereford and outstanding general policies in September, October and November.
- In July 2010 the new Secretary of State revoked the Regional Spatial Strategy which has had a number of consequences. Notably, in some topic areas, targets and policies formerly in the regional plan have had to be incorporated into the emerging Core Strategy, for example, for such topics as Minerals, Waste, Gypsies and Travellers, Affordable Housing and employment and housing targets and trajectories generally. (These all accord with the general tenor of the resolution of full Council at its meeting on 13<sup>th</sup> November 2009, minute 52 refers).
- The new government is reviewing a number of planning policies and promises a "Localism" Bill in the autumn. This, it is hoped, will be compatible with the Council's own "Localities" agenda as an approach to planning local service provision, The Local Development Framework needs to be flexible enough to take on board such changes in national and local policy.
- Progress with the Local Development Framework now depends on completing a programme of consultation through the autumn, in time for analysis and finalisation of recommended policies as soon as possible in the New Year. It is currently anticipated that the Core Strategy will be

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Further information on the subject of this report is available from  
Peter Yates, Planning Policy Manager on (01432) 261952

reported to full Council at its meeting on 4<sup>th</sup> February 2011 with a recommendation that the policies be submitted to the Secretary of State for public examination and subsequent adoption later in 2011.

- The Local Strategic Partnership and Members of the different political groups have been kept apprised of progress through the Local Development Framework Task Group. Minutes of the Task Group meetings are publicised on the Council's website.

## **Alternative Options**

- 1 The current planning policies of the Council are set out in the Unitary Development Plan 2007, which has a plan period to 2011. New planning policies are required to influence and control development for the next plan period especially to ensure close alignment between the Sustainable Community Strategy and the Council's planning policies. The Local Development Framework will set out the new planning policies and there is no sensible alternative to preparation of the Local Development Framework to an appropriate timetable.

## **Reasons for Recommendations**

- 2 To keep the Environment Scrutiny Committee apprised of progress with the Local Development Framework.

## **Introduction and Background**

- 3 Progress is being made on the Local Development Framework to replace the Council's planning policies set out in the Unitary Development Plan. This is being carried out against a background of changing national policies, but needs to be progressed in order to ensure that the Council's planning policies align with its other policies especially the Sustainable Community Strategy and the emerging localities work. A comprehensive programme of consultations is under way and it is intended to report a recommended Core Strategy (the central strategy document of the Local Development Framework) to full Council for consideration on 4<sup>th</sup> February 2011.

## **Key Considerations**

- 4 The Council's planning policies are part of the Council's Policy Framework as set out in the Council's constitution. These policies currently take the form of the Unitary Development Plan (UDP). Those policies have been through a formal process of being "Saved" and will remain in place until they are superseded by the Local Development Framework. The UDP has a nominal end-date of 2011 and the policies need updating for a variety of reasons including changing circumstances, the need to align Council's policies with the future Sustainable Community Strategy and to reflect Council priorities though such matters as the Localities agenda. The Local Development Framework itself will be a portfolio of documents with the principal strategic document being the Core Strategy. The full set of documents to be included in the Local Development Framework are defined in the Local Development Scheme which was authorised by the Cabinet member and approved by the Secretary of State in June 2010. It is published on the Council's website.
- 5 In January, February and March this year an extensive consultation exercise was carried out with the document the "Place Shaping Paper" – this set out planning policy options for the whole County for the period to 2026. There was an extensive consultation programme involving over 60 events with an aggregate attendance of around 3,000 people over a ten week period. The consultation responses have now been published on the Council's website and the analysis is largely complete.

6. In February 2010 advice was sought from the Planning Inspectorate over the potential soundness of the proposed policies. Whilst the Place Shaping Paper was highly regarded, it was also advised that, where there is still more than one option under consideration, a further round of consultation will be required over a single preferred option. Consequently further rounds of consultation have been planned where draft policies needed refining down to just one preferred option.
7. The programme of follow-on consultations is currently in progress in accordance with a timetable agreed by the Local Development Framework Task Group and the Cabinet Member. In July, August and September consultations have been underway in respect of three of the Market Towns, the Rural Areas and a set of thematic policies for such matters as Minerals, waste, Gypsies, Affordable Housing and others. In September consultation will take place over Hereford issues and other thematic policies including one for renewable energy.
8. The evidence base is being further developed with updates of the Retail Study, Employment Land Study and Strategic Housing Land Assessment, a renewables energy study, an economic viability study and other various updates in progress.
9. Ward Members seminars have been held for the three Market Towns (Bromyard, Ledbury and Ross) where the options needed refining further and these have been followed up by public events. Two briefing sessions for rural Ward Members took place in July and a session was arranged for Parish Councillors on 1<sup>st</sup> September. A Members' seminar on Affordable Housing policy is also planned for 20<sup>th</sup> September and a programme of events is being arranged for Hereford issues.
10. The public is being involved by individual letters of correspondence to everyone on the Local Development Framework database, through articles in the Press, and through public meetings where practicable.
11. In summary, a very intensive period of member involvement and public consultation is underway from July through to the beginning of November but, significantly, with selected and targeted consultations on outstanding matters rather than expecting people to comment on everything at once.
12. In July 2010 the Secretary of State for Communities and Local Government announced that he was revoking all regional spatial strategies. The basic thrust of the West Midlands Regional Spatial Strategy had been agreed by Cabinet at various meetings in 2007 and 2008, and the overall concepts behind it, as far as they affected Herefordshire, were also discussed and endorsed at the full Council meeting in November 2009 (minute 52). The evidence behind the Regional Spatial Strategy was examined in public in 2009 with the Inspectors' Panel Report being issued in September 2009. This all adds up to substantial evidence base which has been tested in public and found to be sound. On this basis, and notwithstanding the Secretary of State's announcement, work has continued to be supported by the evidence behind the Regional Spatial Strategy. This approach has been reported to the Local Development Framework Task Group.
13. The Government has also promised a new "Localism Bill" in the Autumn but, at the time of drafting this report, information on that is not available. It is to be hoped that the Council's own localities agenda will be compatible with the principles behind the localities bill, (and experience with the Hearts of Herefordshire programme may also prove to be of benefit).
14. Progress with the Local Development Framework now depends on completing a programme of consultation through the autumn, in time for analysis and finalisation of recommended policies as soon as possible in the New Year. It is currently anticipated that the Core Strategy will be reported to full Council at its meeting on 4<sup>th</sup> February 2011 with a recommendation that

the policies be submitted to the Secretary of State for public examination and subsequent adoption later in 2011

15. The Local Strategic Partnership and Members of the different political groups have been kept apprised of progress through the Local Development Framework Task Group. Minutes of the Task Group meetings are publicised on the Council's website.

## **Community Impact**

- 16 The proposed policies have been drafted to align as closely as possible with the Council's wider policies which impact on community matters and fall within planning influence. The involvement of the Local Strategic Partnership is maintained through the Local Development Framework Task Group which, apart from LSP membership, also includes representative Members from the minority political groups on the Council.

## **Financial Implications**

- 17 Preparation of the LDF is being carried out from within existing budgets which are reviewed annually in the ordinary way.

## **Legal Implications**

- 18 The Council has a statutory duty to prepare the Local Development Framework.

## **Risk Management**

- 19 The principal risk of not having a Local Development Framework is that the opportunity will be lost to guide development to meet the Council's broader priorities as set out in the Sustainable Community Strategy and other strategies and programmes. There are other risks associated with delay in terms of lost funding opportunities and reliance on the increasingly dated policies of the Unitary Development Plan. With a new government at national level it is expected that new policies and priorities will be required and the emergence of the Local Development Framework will allow the Council to better manage any spatial planning issues these raise.

## **Consultees**

- 20 Extensive community consultations have been carried out and continue to be carried out as outlined above. All consultations on the Local Development Framework have to comply with the Council's own Statement of Community Involvement which was adopted in 2007 and is itself part of the Local Development Framework.

## **Appendices**

- 21 None

## **Background Papers**

None identified. (all relevant reports and background studies are published on the Council's website).