

Executive – 10 July 2008

REVIEW OF LOCAL DEVELOPMENT FRAMEWORK PROGRAMME

Report of the Head of Community Regeneration

Statutory Powers: Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004.

Financial Implications: The Government will assess the performance of authorities based on achievement of milestones for plan-making set out in their Local Development Scheme (LDS), including for the purposes of Housing and Planning Delivery Grant (HPDG). Progression of the LDF to the recommended timetable will necessitate calls on the Planning Reserve to fund the assembly of robust evidence and other supporting studies necessary to secure “sound” ratings at examination, to progress some parts of the LDF and/or to “backfill” services.

Purpose: To recommend to Members a fundamental review of the LDF programme and to set out the reasons for that review, most particularly to accelerate progress and performance against key corporate priorities.

Links to Priorities: The LDF links to all Council priorities, but particularly CP1 (affordable homes), CP2 (good jobs) and CP3 (retain the district’s character).

Recommendations:

That the Executive RESOLVE to

- a) approve the draft revised LDF programme as set out in this report and shown at Appendix A as the basis for submission to the Planning Inspectorate for agreement and to the Government Office for the South West for approval; and,**
- b) delegate the precise programme for the constituent LDF documents to the Head of Community Regeneration in consultation with the Leader, Deputy Leader, and a nominated Member from outside the Majority Group.**

Background

1. Local planning authorities are required to produce a Local Development Scheme setting out what LDF documents they will produce and by when. It aims to give clear information for all stakeholders as a basis for their forward plans and should be realistic and achievable. The LDS should balance the need to make good progress against the risks of raising unrealistic expectations or jeopardising HPDG.
2. There are several key factors relevant to the South Hams LDF programme, at national, regional, and local levels.

National changes

3. Too few authorities have made good progress with their LDFs, and too many development plan documents (DPDs) have been found “unsound” at Examination. The Government has therefore made changes to streamline the system, including:
 - Simplification of the process to replace the two early stages (Issues and Options, and Preferred Options) with a single requirement to engage the public and stakeholders in a locally suitable and proportionate way.
 - Increased scope for local authorities to determine which DPDs to produce.
 - An aim to reduce the total number of DPDs being prepared across the country.
4. These changes introduce scope to better match DPD production in South Hams to corporate priorities, particularly CP1 (affordable homes) and CP2 (good jobs).

Regional Spatial Strategy

5. The Regional Spatial Strategy (RSS) Panel Reports (both the main RSS Panel Report and the Report of the “single issue” Gypsies and Travellers Panel) have been issued and the Secretary of State’s proposed changes are due to be published for 12 weeks consultation over the summer. It is anticipated that before the end of 2008 the final RSS will be in place with clear strategic development provisions to 2026.
6. The draft RSS proposes 5,500 dwellings at Sherford, 500 elsewhere on the Plymouth Fringe and 5,800 to be distributed to towns and villages elsewhere across the district. The Panel Report recommends no additional homes for Sherford or the Plymouth Fringe, but an increase of about 16% for housing development in towns and villages. It is not yet known what changes the Secretary of State will propose, but it is unlikely that housing provisions will be reduced.
7. Government advice is that at adoption LDF documents should look ahead by at least 15 years and the new RSS will establish a strategic context for this to be done across the region.

Local Government Review

8. The timetable for Local Government Review (LGR) in Devon foresees the potential for new unitary authorities to come into being in April 2010. Thereafter, it is likely that it could be harder to make fast progress with DPDs for South Hams towns and villages.
9. In order to make the best possible progress against key South Hams priorities before this, and to enable new sites for affordable homes and employment developments to be identified, the LDF programme should focus on producing site allocation DPDs for South Hams towns and villages.
10. The Boundary Committee is due to report on 7th July, but its recommendations are not known at the time of writing this report. However, it is anticipated that the basic implications for the South Hams LDF programme will be the same whatever the Committee recommends.

The South Hams LDF

11. The Council remains a recognised national LDF pathfinder:
 - The Statement of Community Involvement, the Core Strategy, and the Sherford New Community Area Action Plan have been adopted following their examinations.
 - The Affordable Housing DPD was examined in June. The Inspector's binding report is awaited and, providing he finds it "sound", the DPD should be adopted this year.
 - The Open Space, Sport and Recreation SPD has been adopted. Draft SPDs have been published for Affordable Housing and Planning Obligations and should also be adopted this year.
 - Early stage DPDs have been published for Totnes and Dartington, the Rural Areas, the Plymouth Urban Fringe, and Development Policies.
12. However, like other authorities the Council is seeking to make faster progress with its LDF in order to address priority needs. The Community Policy Development Group has referred to the need to make progress (CPDG23/07). In particular, there is a pressing need to identify suitable sites for affordable housing and employment development in market towns and villages. A fundamental review of the LDF programme is therefore recommended in order to:
 - Harness the potential of the recent national changes to the LDF system
 - Prepare to respond to the RSS by preparing DPDs with phased site allocations to 2016, 2021 and 2026
 - Enable good progress to be made before the impact of LGR
 - Address the need to identify site allocations in towns and villages across South Hams
13. It is recommended that the Forward Planning team focuses on the priority production of site allocation DPDs and that scope be explored for other necessary LDF work to be outsourced / shared / commissioned.
14. It is recommended that site allocation DPDs be progressed for each of the four main towns and for the remaining towns and villages (excepting the Plymouth Fringe – see below). The production of these (five) DPDs should be a single conjoined process, so that research and evidence assembly, community involvement, publication and examination are concurrent. This should enable efficiencies to be made and assist more effective delivery of the documents.
15. Members should note that, for a period, progress with the Totnes / Dartington DPD will appear to have stalled. However, as work related to DPDs for other communities across the district is progressed, the Totnes / Dartington DPD will fall into place as part of the conjoined approach and the work carried out there so far will continue to be part of the basis for the plan.

16. A review of the LDF Core Strategy will be required following approval of the RSS to establish a detailed local strategic context for individual DPDs to 2026. However, it is recommended that this should await the outcome of LGR so as to enable its integration with new administrative structures, local strategic partnerships, the Sustainable Community Strategy (SCS) and the Local Area Agreement. Government guidance for streamlined LDFs advises that LDFs should closely align with SCSs, including conjoined evidence and community involvement.

Work to be out-sourced / shared / commissioned

17. To support the Forward Planning team's focus on site allocation DPDs, and in order to assemble a sufficiently robust evidence base to help carry them through examination with a "sound" rating, it is also recommended that a range of other work should be variously out-sourced / shared / commissioned, as follows:
 - Progression of the Plymouth Urban Fringe DPD is provided for through New Growth Point monies and is likely to involve Plymouth City Council (another LDF pathfinder) being commissioned by South Hams to carry out the work.
 - The Development Policies (DC Core Policies) DPD and policies to address the needs of gypsies and travellers should be progressed through the use of consultants, potentially on a shared basis.
 - Ongoing sustainability appraisal (including Strategic Environmental Assessment and Habitats Regulations Assessment required to meet national and European legislative requirements) should be commissioned.
 - Evidence (new, updated, ongoing, or more detailed) should be commissioned in fields including housing need, land availability, development viability, flood risk, employment, transportation and other key infrastructure, and landscape character.
 - Master planning exercises should be commissioned to support some site allocation DPDs. Initially work is required to support the process for Dartmouth.
 - Support may be needed to help plan and co-ordinate programmes for implementation, particularly geared to delivery on priorities.
18. Other Council services can support the LDF process. For example (from within the Community Regeneration service), the Community Development team can support proportionate community involvement and the Affordable Housing and Economic Development teams can support work related to potential development sites.
19. Other support could particularly come from the Landscape & Leisure, Development Control and Legal services. In some cases, it may be necessary to "backfill" in these services in order to enable other duties and obligations to be met or to enable sustained progress against corporate priorities. Examples could include development enabling work, processing planning applications for affordable homes or quality jobs, Sustainability Threshold Assessment (part of the process to support site allocations) and / or progression of a Landscape & Wildlife SPD.
20. Members should be aware of the call that many of these pieces of work will place on the Planning (Local Plan) Reserve. An exempt appendix shows the current state of that reserve, existing commitments and calls upon it, and the likely range of additional costs which might be incurred as a result of the work streams outlined above.

21. Wherever there may be scope to work jointly with partners to achieve efficiencies and savings, this will be pursued vigorously. In particular, scope to work within the South Devon Dartmoor area and / or across the Plymouth, Torbay and Exeter sub regions will be pursued and promoted.

Reviewed LDF Programme

22. Appendix A shows the recommended new programme for the LDF, making the conjoined processes for the site allocation DPDs very clear. If approved by Members, this programme will form the basis for production of the revised LDS to be submitted to the Government Office for the South West (GOSW) and the Planning Inspectorate (PINS). The previous LDS programme is shown at Appendix B, for purposes of comparison.
23. This year, because of delay in introducing the new LDF streamlining measures, government advised that any revisions to LDSs should not be submitted by the normal (April) deadline. At the point of writing this report, the new deadline has not been officially set but GOSW has indicated that it is likely to be September 2008.

Strategic Risk Assessment

Opportunity	Issues / Obstacles	Benefits
<p>Changes in the LDF system nationally afford scope to revise the LDF programme to deliver more quickly and strongly against corporate priorities CP1 and CP2.</p> <p>The imminent approval of RSS to 2026 affords the scope to set in place plans to 2026 in advance of LGR.</p>	<p>The Council is one of few LDF pathfinders. There is little opportunity to learn from others' experience.</p> <p>To be found "sound", a DPD must be justified, effective and consistent with national policy.</p> <p>Unrealistic expectations and / or an over-ambitious programme.</p> <p>The work required, particularly in assembling robust evidence, is resource hungry, the plan making process is long, and success (an adopted plan) cannot be guaranteed.</p>	<p>Site allocations for affordable homes and employment development.</p> <p>Much enhanced opportunity and choice for the market to engage in development.</p> <p>Achievement of milestones set out in the LDS will secure HPDG for plan making.</p>

Conclusion

24. The Council has secured a place amongst the national leaders in the LDF system. However, faster progress with the South Hams LDF is needed in order to identify sites for affordable housing and employment development in market towns and villages. A fundamental review of the LDF programme is recommended in order to:
- Harness the potential of the recent national changes to the LDF system
 - Prepare to respond to the RSS by preparing DPDs to 2026
 - Enable good progress to be made before the impact of LGR
 - Address the need to identify site allocations in towns and villages across South Hams
25. Members are recommended to approve the revised LDF programme set out in the report and shown at Appendix A as the basis for submission of a revised LDS.

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Executive
10th July 2008

Background Documents:

The Town & Country Planning (Local Development) (England) (Amendment) Regulations 2008

Planning Policy Statement 12: Local Spatial Planning (2008)

The Town & Country Planning (Local Development) (England) Regulations 2004

Planning Policy Statement 12: Local Development Frameworks (2004)

Approved Local Development Scheme – April 2007

Reference(T:\.....\.....\.....doc)

Appendix A: Recommended new LDF programme

Appendix B: Previous approved LDF programme (April 2007)

Exempt Appendix: Planning (Local Plan) Reserve