

REPORT TO CABINET

REPORT OF: Head of Planning Policy and Economic Development

REPORT NO. PLA555

DATE: 6TH FEBRUARY 2006

TITLE:	Progress towards the Local Development Framework (LDF) for South Kesteven
FORWARD PLAN ITEM:	Yes
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key Decision

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	Cllr Smith Economic Development
CORPORATE PRIORITY:	A - Town Centres B – Planning, conservation, affordable housing
CRIME AND DISORDER IMPLICATIONS:	minor
FREEDOM OF INFORMATION ACT IMPLICATIONS:	All LDF documents are published on the Council's web site and are made available for public inspection at the District Council's offices and the local libraries in the district.
BACKGROUND PAPERS:	Planning and Compulsory Purchase Act 2004, PPS12, Lincolnshire Structure Plan (Deposit Draft) Regional Planning Guidance Cabinet reports and minutes dated 24 th November 2004, 7 th February 2005, 4 th April 2005, 9 th May 2005, 6 th June 2005, 5 th September 2005 and 10 th October 2005 Non-key decision 5 th December 2005

1. INTRODUCTION

- 1.1 Previous reports considered by Cabinet set out the timetable and progress made to date in the preparation of the new [Local Development Framework \(LDF\)](#).
- 1.2 This report provides an update on progress made since October 2005 and sets out how this progress relates to the timetable set out in the [Local Development Scheme](#) (LDS), which was approved by GOEM in April 2005. The report also considers changes that need to be made to this timetable to take account of the short delays that have already occurred.

2. RECOMMENDATIONS

- 2.1 **Members are asked to note the progress which has been made to date in developing the council's Local Development Framework.**
- 2.2 **Members are also asked to note the changes which are proposed in this report to the timetable and the LDS arising from delays which have already occurred and to delegate approval of a revised LDS to the Economic portfolio holder.**

3. DETAILS OF REPORT PROGRESS TO DATE

- 3.1 Statement of Community Involvement
 - 3.1.1 The final version of the [Statement of Community Involvement \(SCI\)](#) was submitted to the Secretary of State on 14th November 2005. Submission coincided with a six week public consultation period, during which formal representations should have been submitted. Any representations made at this stage should have been related to one of nine tests of soundness (which have been prescribed by the ODPM and the Planning Inspectorate and are appended to this report at Appendix a) and will be considered by the Planning Inspectorate through a public examination process.
 - 3.1.2 During the consultation period (which was extended to 6th January 2006 to allow for delays and time lost over the Christmas period) five formal Representation forms. Two informal representations and 29 letters of acknowledgement were received.
 - 3.1.3 The main issues raised in formal representations were concerns that parish and town councils are not kept informed about changes in planning applications and decisions; the role of the planning panel in determining applications and that resources are not available to realistically manage community involvement effectively. The formal representations commented on four of the nine tests of soundness which were

- No 4 – that the SCI identifies how the community and other bodies can be involved in a timely and accessible manner
- No 5 – that the methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of Local Development Documents
- No 6 – that resources are available to manage community involvement effectively
- No 9 – that the SCI clearly describes the planning authority's policy for consultation on planning applications

3.1.4 These representations are summarised in Appendix b of this report. Only one of the representations made requested an appearance at public Inquiry. The Planning Inspectorate will liaise with the objector to decide the best method for considering the objection; this may be through appearance at an informal hearing or via written representation.

3.1.5 All representations have now been forwarded to the Planning Inspectorate. It is expected that details of the appointed Inspector will be received by the Council by 31st January. Objectors will then have four weeks in which to provide additional statements in respect of their objection(s), following which the Council has two weeks to respond. The appointed Inspector will consider all the statements submitted and prepare his report during March. It is anticipated that the report will be received in early April.

3.1.6 If the Inspectors report makes recommendations for change the Council must make these changes before the SCI can be adopted.

3.1.7 If this timetable is met it will mean that the SCI should be adopted in late April or early May. The timetable included in the approved LDS set out that the SCI would be adopted in March 2006. The timetable has therefore slipped by about two months.

3.2 Core principle of Development and Location Strategy and the Housing and Economic Development DPD

3.2.1 The [Issues and Options](#) paper for both these policy documents was published for consultation on 30th September 2005. Public consultation was undertaken in line with the requirements of the SCI. This included direct consultation with all key stakeholders and those individuals and organisations who have previously registered an interest in the LDF. Documents were made available at nearly all local post offices (subject to local agreement of the post master), all local libraries (including the mobile service) and district offices. Public notices were placed in local newspapers and posters were displayed in all villages and in various locations in the towns. A public exhibition was displayed in the four towns and in Billingborough, Colsterworth and Long Bennington and an open invitation was made for people to meet, via appointment, planning officers at any of the four district offices.

- 3.2.2 Public consultation on the Issues and Options closed on 14th November 2006. A total of 178 response forms and letters have been received about the Issues and Options. These are being considered at the moment and a summary of responses will be reported to Cabinet in March. Work has begun on preparing new policies and identifying site allocations for inclusion in both documents. It is anticipated that these policies and sites will be included in the “preferred options” version of the two DPD’s, which should be published for six weeks consultation in May or June this year.
- 3.2.3 In addition to consultation on the Issues and Options, 6 weeks public consultation was also held into the Scoping Report for the Strategic Environmental Appraisal (SEA)/A. This is a largely technical document which has been prepared by a specialist consultant. This assessment process forms an ongoing part in the identification and assessment of preferred options. It is therefore essential that work on this element of the LDF is integral to the evolution of policies and proposals for inclusion within the two DPD’s. Consultation on the SEA/SA resulted in 10 responses from organisations and bodies dealing with environmental and sustainability issues. The comments made about the Scoping report will feed through the ongoing SEA/SA work and may result in changes being made to the sustainability objectives and framework.
- 3.2.4 The timetable set out in the LDS for the preparation of these two policy documents has slipped by about four months. However rapid progress on the preparation of the policies and the identification of sites is now being made. It is anticipated that draft policies and proposals will be available by the end of February. As set out above it is essential that the policies and proposals are assessed as part of the SEA/SA process, this will take place during February and March. It is proposed that the emerging policies and sites should be considered by the Economic and Community DSP’s prior to Cabinet considering the draft documents for public consultation. The aim would be to take the draft policies and preferred sites to the DSP’s in March and April and for Cabinet to consider the draft documents on 24th April. If these dates are achieved public consultation could begin at the end of May.
- 3.2.5 As a consequence of these delays the timetable in the LDS should be revised as follows.

LDF Stage / Milestone	Approved timetable	Revised timetable
Public consultation on Preferred options	Jan / Feb 2006	May/June 2006
Submission consultation	July / August 2006	Nov / Dec 2006
2 nd consultation on suggested sites (if needed)	October 2006	Feb / Mar 2007
Examination (Core strategy)	Jan / Feb 2007	March / April 2007
Examination (Housing and	Feb/ Mar 2007	May/June 2007

Economic development)		
Inspectors Reports	April / May 2007	Sept / Oct 2007
Report to Cabinet to Adopt		November 2007
Report to Council to Adopt		Jan 2008
Adoption	August 2007	Feb 2008

3.3 Annual Monitoring Report

- 3.3.1 The [Annual Monitoring Report \(AMR\)](#) was prepared in December 2005 and submitted to the Government Office for the East Midlands before Christmas. Submission of the Annual Monitoring Report before the end of December means that the Council has met an important national target and will receive planning delivery grant accordingly. The AMR is available for public consideration and is published on the Council's web site. The AMR sets out monitoring data relating to development rates in the district, it also considers progress made in the preparation of the LDF. The conclusions of the AMR reveal that the timetable included in the Local Development Scheme (LDS) has slipped by between two and four months. As a result the LDS will need to be updated and revised. The new timetable as outlined above should be included

4. **OTHER OPTIONS CONSIDERED AND ASSESSED**

Not relevant to this report

5. **COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES**

No implications

6. **COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)**

No implications

7. **COMMENTS OF OTHER RELEVANT SERVICE MANAGER**

No implications

8. **CONCLUSIONS**

- 8.1 Progress on the production of a number of documents which will form the Local Development Framework is being made. Whilst this progress is slower than was anticipated in the approved LDS timetable, the SCI is now nearing adoption and policies and proposals for inclusion in the two key policy documents are beginning to form. It is hoped that no further delays will occur during the next two years and that the LDF will be in place and adopted by the beginning of 2008.

- 8.2 The next milestone in the preparation of the two key policy documents (public consultation on the preferred options) should begin in late May and June this year. It is suggested that draft policies and site allocations be considered by the Economic and Community DSP's prior to being considered by the Cabinet in April.
- 8.3 Changes to the timetable included in the LDS are proposed within this report, these changes represent an overall delay of some 5 months from the originally envisaged timetable. As such the Adopted South Kesteven Local Plan (1995) which is automatically saved until September 2007 will need to be saved for an extended period. This will need to incorporate into a revised LDS along with the revised timetable. It is suggested that these changes are made and the revised LDS approved as a non-key decision prior to being submitted to the Government Office for the East Midlands (GOEM) for approval.

9. CONTACT OFFICER

Mike Sibthorp
Head of Planning Policy and Economic Regeneration

Appendix a

Nine Tests for Assessing the Soundness of Statement of Community Involvement

The government requires that the Statement of Community Involvement meets the following nine tests of soundness:

1. that the local planning authority has complied with the minimum requirements for consultation as set out in Regulations (The Town & Country Planning (Local Development)(England) Regulations 2004)
2. that the local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy
3. that the statement identifies in general terms which local community groups and other bodies will be consulted
4. that the statement identifies how the community and other bodies can be involved in a timely and accessible manner
5. that the methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development document
6. that resources are available to manage community involvement effectively
7. that the statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents
8. that the authority has mechanisms for reviewing the statement of community involvement
9. that the statement clearly describes the planning authority's policy for consultation on planning applications.

Appendix B - Summary of Formal Representations made about the Submitted SCI

(This table includes a summary of the responses received. A copy of all response forms is available for inspection in the members room)

Ref Number	Name	Test	Comment	Attend / Written Rep
31	Mr T Bladon Rippingale Village Design	9	Concerned about a lack of consultation by the council, amendments being made to planning applications after comments have been sought and the role of the planning panel. The adopted status of the Rippingale Village Design statement and the village design committee is not recognised in the documents. South Kesteven community should be consider with greater respect than has been shown in the Council's responses. T he SCI is an opportunity not to be missed by the community or the council, but can only be achieved if the current secrecy in planning is removed. It is our hope that transparency in processing planning applications is achieved by open and honest means, by the dissolution of the Planning Panel.	Attend
33	P Hooper	4 & 9	From our observations our local council does not seem to have much effect on the outcome of planning decisions. Documents such as objectors letters are not supplied to planning committee of the town council, town council planners are not listened to and the work of the EMPA is not generally known.	Written
34	Mr C Townson	9	Support 21.1, 2, 3 – This probably has the most relevance to the community rather than endless correspondence. Face to face communication can achieve more meaningful results. Object to 23.2 in relation to major planning applications. SKDC should insist on proper dialogue being established with the parish/town council. Outline guidance should be produced by SKDC and all points discussed with developers and PC.	Written
35	Mr D Hamilton Hinds	6	The intention of the Statement is supported, however, it is not thought that resources are available to manage community involvement effectively because it does not work now	Written