

# REPORT TO CABINET

REPORT OF: Economic Development Portfolio Holder

REPORT NO.: PLA623

DATE: 6<sup>th</sup> November 2006

|   |   |
|---|---|
| <b>TITLE:</b>                                     | Local Development Framework – Core Strategy |
| <b>FORWARD PLAN ITEM:</b>                         | Yes   |
| <b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>  | 17 <sup>th</sup> August 2005                |
| <b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b> |   |

|  |   |   |
|--|---|---|
| <b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b> | Councillor John Smith<br>Economic Development   |   |
| <b>CORPORATE PRIORITY:</b>                                 | Town Centre Regeneration (A)<br>Affordable Housing (A)<br>Planning and Conservation (M)   |   |
| <b>CRIME AND DISORDER IMPLICATIONS:</b>                    | Minor   |   |
| <b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>            | All LDF documents are made available on the Council's web site when published, and are made available for public inspection at the District Council's offices and the local libraries in the district |   |
| <b>INITIAL EQUALITY IMPACT ASSESSMENT</b>                  | <b>Carried out and appended to report?</b><br><br><b>No</b>   | <b>Full impact assessment required?</b> |

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| <b>BACKGROUND PAPERS:</b> | Planning and Compulsory Purchase Act 2004<br>PPS12: Local Development Frameworks<br>Lincolnshire Structure Plan (Revised Deposit Draft)<br>RSS8: Regional Spatial Strategy for the East Midlands to 2021<br>Letter from GOEM 11 <sup>th</sup> April 2005<br>Letter from PINs 13 <sup>th</sup> April 2005<br>Letter from DCLG 11 <sup>th</sup> August 2006<br>Cabinet reports and minutes dated 24 <sup>th</sup> November 2004, 7 <sup>th</sup> February 2005, 4 <sup>th</sup> April 2005, 9 <sup>th</sup> May 2005, 6 <sup>th</sup> June 2005, 5 <sup>th</sup> September 2005, 10 <sup>th</sup> October 2005, 6 <sup>th</sup> January 2006, 3 <sup>rd</sup> April 2006 and 9 <sup>th</sup> October 2006 |
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## 1. INTRODUCTION

- 1.1 Report PLA615 considered by Cabinet on 9<sup>th</sup> October 2006 established a new way forward for the development of the districts emerging Local Development Framework (LDF). Thus the Planning Policy team is now focussing on the preparation of the Core Strategy, taking into account the most recent advice of the Department for Communities and Local Government (DCLG) and from the Planning Inspectorate relating to the format and level of detail of emerging LDF documents.
- 1.2 The guidance from DCLG is clear. A Core Strategy must be clear and concise, and should consist only of the overarching planning framework, which will guide the broad location and distribution of development. In this respect it will need to consider the different options available to best meet the needs of the area. It should therefore be unique to each local area. To achieve this the Core Strategy must not simply repeat national and regional policies, nor should it be full of regulatory policies.
- 1.3 Having considered this advice alongside the preferred options documents published this summer it is clear that policies included fall into two categories. Those for which a number of options must be considered before a preferred “local” option can be selected; and those which largely reflect national and/or regional guidance and for which there are no real alternative options.
- 1.4 This report is the first of two that will consider the most appropriate way forward for progressing the new “Preferred Options” stage of the Core Strategy, whilst ensuring that the document meets the guidance available, and provides the district with an effective policy framework.
- 1.5 This report considers those issues that should be included within the Core Strategy and how the other less “local” issues may be best handled and if appropriate how they could be included within the LDF.

## 2. RECOMMENDATIONS

### 2.1 That the Cabinet:

- a) endorse the general approach set out in this report for the preparation of the Revised Core Strategy Preferred Options.

- b) Agree the proposed policy content of the Core Strategy Preferred Options as summarised in paragraphs 3.8 of this report.**
- c) Consider the inclusion of three addition policies covering flood risk, energy efficiency in new buildings and renewable energy schemes as set out in paragraphs 3.6 and 3.9 of this report.**

### **3. DETAILS OF REPORT**

- 3.1 The Core Strategy should establish the vision and objectives for the plan period. It sets out the overarching planning policy framework for the district. The policies in the Core Strategy “set the scene” for the more detailed site allocations and development control policies which will follow in subsequent Development Plan Documents (DPDs) and will be applicable to all types of development across the district. All DPDs and SPDs will have to be in conformity with the Core Strategy.
- 3.2 PPS12 advises that the Core Strategy should
  - set out the long term vision for the area and the strategic policies for delivering that vision
  - Seek to implement the spatial and transport policies of the Regional Plan
  - Set out broad locations for delivering housing, employment, retail, leisure, community and essential public services and transport development
  - Include criteria based policies to establish the framework for assessing unforeseen proposals
- 3.3 More recent advice from DCLG and GOEM states that a typical Core Strategy should include:
  - Settlement Hierarchy and broad locations for development in the district.
  - Housing Strategy and affordable housing
  - Employment land strategy
  - Transport
  - Town Centres
  - Rural policies (where appropriate)
- 3.4 In addition to these recommended policy areas the following issues are considered to be of particular local importance and should be included within our Core Strategy:
  - Gypsies and Travellers; the Gypsies and Travellers Survey 2006 revealed that there is a need in the district for 20 additional permanent pitches and 5 transit pitches. Circular 1/06 requires that the core strategy sets out criteria for the location of gypsy and traveller sites, to be used both to guide allocations and to determine applications.
  - Landscape Character Areas; A Landscape Character Assessment for the district has now been prepared – the conclusions of this affect the whole district and are very much “local” issues which should be included within the overarching framework.

- S106 Planning Obligations; this issue needs clarification and a local protocol agreeing which may prioritise what funding / contributions are sought for.

3.5 Members should note that three of these policy areas, Town Centres, Rural policies and Gypsies and Travellers, were not included within the previous draft of the Core Strategy (Town Centres and Gypsies and Travellers were however covered in the Housing and Economic DPD).

3.6 Each of these nine policy areas will present the Council with a range of options for addressing the issues in the local context. The Core Strategy Preferred Options would therefore need to demonstrate in some detail what options have been considered and why the preferred option has been selected. This process must be closely referenced to the “robust” background evidence, which has been prepared over the last two – three years, and should demonstrate how the community’s views have influenced the decision making process.

3.7 The previous version of the Core Strategy (published in June) also included the following policies:

- Design of New Development
- Protecting Neighbourhood Amenity
- Development in Conservation Areas
- Listed Buildings
- Archaeological and Historic Sites
- Reducing the Risk of Flooding and Protecting Water Resources
- Generating Renewable energy
- Renewable Energy Technologies in New Development
- Pollution Control

3.8 These policies largely reflect national and regional planning policy and as such there are no, or very limited alternative options to consider. The advice of the DCLG implies that these policies should not be included within the Core Strategy, instead these should feature in later DPDs if required.

3.9 In light of the proposed changes to the format of the LDF and the intention to produce a Development Control Policy document as well as a Site Allocations document, it is considered more appropriate to locate most of these policies within that document. It is felt, however, that consideration should be given to the inclusion within the Core Strategy of three broad policies covering the Councils intentions in respect of flood risk; energy efficiency in new buildings; and renewable energy schemes. Whilst these policies will be rooted in national guidance, and provide little opportunity to consider a variety of alternative options, they do relate to issues which have arisen since the Local Plan was adopted in 1995, and as a result represent a policy gap. Members may therefore consider it appropriate for the Core Strategy to establish the Council’s approach on these matters.

3.10 The table below indicates how it is felt that the issues covered in the previous draft of the Core Strategy should be addressed in the new format LDF.

| <b>Core Strategy (summer 2006)<br/>Policy title</b>               | <b>To be included in<br/>the:</b>                | <b>Expected date<br/>of Adoption</b> |
|---|--|--------------------------------------|
| PO1 Sequential Development in SKDC                                | Core Strategy                                    | Early 2008                           |
| PO2 Sustainable Integrated Transport                              | Core Strategy                                    | Early 2008                           |
| PO3 Economic Development  | Core Strategy                                    | Early 2008                           |
| PO4 Residential Development                                       | Core Strategy                                    | Early 2008                           |
| PO5 Providing for Affordable Housing                              | Core Strategy                                    | Early 2008                           |
| PO6 Protection and Enhancement of the character of the District   | Core Strategy (as a LCA policy)                  | Early 2008                           |
| PO7 Design of New Development                                     | Development Control Policies DPD                 | Late 2008                            |
| PO8 Protecting Neighbourhood Amenity                              | Development Control Policies DPD                 | Late 2008                            |
| PO9 Development in Conservation Areas                             | Development Control Policies DPD                 | Late 2008                            |
| PO10 Listed Buildings   | Development Control Policies DPD                 | Late 2008                            |
| PO11 Archaeological and Historic Sites                            | Development Control Policies DPD                 | Late 2008                            |
| PO12 Reducing the Risk of Flooding and Protecting Water Resources | Core Strategy / Development Control Policies DPD | Early 2008 / Late 2008               |
| PO13 Generating Renewable energy                                  | Core Strategy Development Control Policies DPD   | Early 2008 / Late 2008               |
| PO14 Renewable Energy Technologies in New Development             | Core Strategy                                    | Early 2008                           |
| PO15 Pollution Control  | Development Control Policies DPD                 | Late 2008                            |
| PO16 Developer Contributions                                      | Core Strategy                                    | Early 2008                           |

3.11 It is therefore proposed that the South Kesteven Core Strategy should include the following key policy areas:

- Spatial strategy (sequence for development)
- Transport
- Housing development - distribution and location criteria
- Employment development - distribution and location criteria
- Retail and leisure development - distribution and location criteria
- Delivering Affordable housing
- Providing for Gypsies and Travellers
- Landscape Character
- S106 planning obligations.

Each of these policies will be set out in the “preferred options” document with details relating to options considered, including the potential implications of all options, consideration of feedback from public consultation and the reason for selecting a preferred option for each.

3.12 In addition Members are asked to consider the inclusion the following three policies within the Core Strategy: Reducing the Risk of Flooding; Promoting Energy Efficiency in New Buildings; and Criteria for the Consideration of Renewable Energy Schemes.

#### **4. OTHER OPTIONS CONSIDERED AND ASSESSED**

4.1 Two alternative approaches could be considered. The first would be to progress the Core Strategy with the same (or revised version of the same) policy topics included in the previous draft version. However it is felt that some of the policies tended to repeat national guidance and are therefore inappropriate in the Core Strategy, in the light of new DCLG advice.

4.2 The second alternative would be to include only the six policy topics suggested by the DCLG. However it is considered that this would present a very narrow Core Strategy which would fail to address all of the key local issues which are required if the Core Strategy is to effectively provide the overarching policy framework for the district.

#### **5. COMMENTS OF SECTION 151 OFFICER**

5.1 In adopting this approach the Council should be minimising the potential risk of the Planning Inspectorate considering that an unsound approach has been adopted and therefore reduce the likelihood of additional costs from any abortive work having to be borne by the Council at a later date.

#### **6. COMMENTS OF MONITORING OFFICER**

6.1 The principle of following the recent guidance issued by the DCLG was accepted by Cabinet at its meeting on the 9<sup>th</sup> October 2006. The recommendations made appear to follow that guidance.

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

7.1 No comments.

#### **8. CONCLUSION/SUMMARY**

8.1 This report sets out the preferred approach to the preparation of an effective Core Strategy for South Kesteven, which will (it is hoped) be considered “sound” by the Planning Inspectorate. The report sets out the suggested policy content, which takes full account of advice from PPS12, DCLG, PINs and GOEM. A further report will be presented to Cabinet that details the proposed wording and content of the revised Core Strategy Preferred Options for consultation.

## **9. CONTACT OFFICER**

Mark Harrison  
Team Leader, Planning Policy  
01476 406438  
[m.harrison@southkesteven.gov.uk](mailto:m.harrison@southkesteven.gov.uk)