

**WYRE FOREST DISTRICT COUNCIL**

**CABINET MEETING**  
**30<sup>th</sup> MARCH 2006**

**Local Development Framework**  
**Revised Local Development Scheme**

	OPEN
<b>COMMUNITY STRATEGY THEME:</b>	A Better Environment
<b>CORPORATE PLAN THEME:</b>	Managing the Local Environment
<b>KEY PRIORITY:</b>	Forward Planning
<b>CABINET MEMBER:</b>	Councillor James Dudley
<b>RESPONSIBLE OFFICER:</b>	Head of Planning, Health and Environment
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<b>APPENDICES</b>	Appendix 1 – Revised Local Development Scheme. This appendix has been circulated electronically and a public inspection copy is available on request. See front cover for contact details.

**1. PURPOSE OF THE REPORT**

- 1.1 To seek Cabinet approval to the submission of a Revised Local Development Scheme for the District.

**2. RECOMMENDATION**

The Cabinet is asked to **DECIDE:**

- 2.1 The Local Development Scheme for Wyre Forest District be revised as set out in Appendix 1 to the Cabinet Report and the revised Scheme be submitted to the Government Office for the West Midlands.
- 2.2 Subject to not receiving any notification from the Secretary of State, under Regulation 11 (3b or 3c) of the Town and Country Planning (Local Development) (England) Regulations 2004, the submitted revised Local Development Scheme shall have effect from 4<sup>th</sup> May 2006.

### **3. BACKGROUND**

- 3.1 The Planning and Compulsory Purchase Act 2004 introduced, from September 2004, a new development plan system comprising Regional Spatial Strategies and Local Development Frameworks. Wyre Forest District Council, as Local Planning Authority, is now responsible for producing the Local Development Framework for the District which will replace the old style County Structure Plans and District Local Plan.
- 3.2 The Local Development Framework is designed to comprise a portfolio of both statutory Development Plan Documents (DPDs) and non-statutory Supplementary Planning Documents (SPDs). In order to manage the process of preparing these various documents, the District Council is required to prepare and submit to the Secretary of State a Local Development Scheme (LDS). The LDS is intended to cover a three year timeframe and give a detailed timetable for the preparation of the various documents that will comprise the Local Development Framework.
- 3.3 The first LDS was formally submitted to the Secretary of State in February 2005 and came into effect on 27<sup>th</sup> March 2005. A revised LDS, which incorporated a minor adjustment to the timetable for the Statement of Community Involvement, was submitted to the Secretary of State in July 2005 and came into effect on 30<sup>th</sup> August 2005.
- 3.4 Any amendments to the LDS need to be submitted to the Government for the West Midlands (GOWM) who can, acting on behalf of the Secretary of State, intervene and direct the Council to consider amendments. GOWM also consult with the Planning Inspectorate (PINS) regarding the implications of the Scheme on the programming of the PINS workload.
- 3.5 Following on from the submission of the Council's Annual Monitoring Report by December each year, it is apposite to review the LDS and to roll forward proposals to ensure that they are still current and cover a three year time period.

### **4. PROPOSED CHANGES TO THE LOCAL DEVELOPMENT SCHEME**

- 4.1 Draft proposals for the revision of the Local Development Scheme are set out in Appendix 1 to this report. The existing LDS can be viewed on the Council's website at [www.wyreforestdc.gov.uk](http://www.wyreforestdc.gov.uk)

- 4.2 The key proposed changes from the current LDS are the reprogramming of the Core Strategy DPD, with consequential amendments to the Site Allocations, Development Control Policies and Kidderminster Central Area Action Plan, DPDs. Also the Affordable Housing SPD is proposed to be replaced with a wider coverage Planning Obligations SPD.

**Core Strategy DPD**

- 4.3 The Core Strategy DPD must be prepared in general conformity with the Regional Spatial Strategy and it must also set out the housing provision for the District.
- 4.4 The Regional Spatial Strategy (RSS) for the West Midlands was approved in July 2004 but is to be the subject of a series of three revisions. The Phase 2 revisions will cover housing and employment provision together with a number of other topics including Town Centres. For housing, the revisions will need to have regard to the latest ODPM 2003 based household projections which are due to be published shortly and are expected to lead to increased housing provision. Emerging advice in draft PPS3 (Housing) means that the RSS will need to provide a framework for the housing provision in LDFs until 2026.
- 4.5 The West Midlands Regional Assembly have just agreed a revised timetable for the Phase 2 revision, with public consultation on the options in September/October 2006 and submission of the preferred option June 2007.
- 4.6 In order for the Core Strategy to be guided by the emerging RSS proposals, a revised timetable with public consultation on the issues and options taking place in January/February 2007 and preferred option July/August 2007 is now proposed. This will lead to a slight delay in the final adoption of the Core Strategy from September to December 2008.
- 4.7 Also, in order that the Core Strategy can provide the necessary guidance to the Site Allocations, Development Control Policies and Kidderminster Central Area Action Plan, DPDs, the timetable for these will also need to be adjusted so that the outcome of the binding Inspector's report will be known prior to finalising the preferred options consultation on these DPDs.

### **Supplementary Planning Document Proposals**

- 4.8 The existing LDS includes proposals to prepare a SPD on Affordable Housing. However, it was always intended that this proposal would be reconsidered in the light of emerging advice as set out in the draft PPS3 Housing. This indicates that there is little scope to reduce the threshold for the requirement to provide affordable housing below the current 15 dwelling unit level, set out in the District Local Plan, by way of a SPD. This issue will now need to be progressed, at least initially, through the Core Strategy.
- 4.9 However, guidance set out in ODPM Circular 05/2005 on Planning Obligations provides new advice on the inclusion of policies relating to Planning Obligations particularly in the intervening period up until the new statutory DPDs are prepared and adopted. This advice will enable the preparation of a Planning Obligations SPD which will cover, not only Affordable Housing but also, sustainable transport, open space and bio-diversity etc. In addition, the SPD will be able to cover Education contributions to the County Education Authority and will on adoption replace the County's existing Supplementary Planning Guidance. The County Council officers have advised that they will provide the necessary technical advice in order to assist in the preparation of the SPD Education proposals.
- 4.10 The preparation and adoption of a Planning Obligations SPD will provide greater clarity for developers and applicants and should assist in speeding up the processing of major planning applications.
- 4.11 Proposals for a Planning Gain Supplement which the Government is considering, are not expected to be introduced before 2008 at the earliest. If such proposals were implemented there would still remain a role for Planning Obligations to deal with site specific issues including Affordable Housing and development mitigation measures.

### **Other Proposals and Amendments**

- 4.12 A number of other relatively minor updates and consequential amendments are proposed in the revised LDS. In the light of the recent consultation from the County Council on the draft Worcestershire Transportation and Development Control Guide and the Council's decision to endorse (subject to certain provisos) the draft Parking Standards, a reference to a possible future SPD on this subject is also included within the draft LDS.

## **5. CONCLUSIONS**

- 5.1 The time is now appropriate to submit a revised Local Development Scheme which reflects the revised Regional Spatial Strategy review timetable and provides an overview of the Local Development Framework documents to be prepared during the next three years and beyond.
- 5.2 The revised LDS provides a realistic programme to deliver the Council's aims and objectives for the sustainable development of the district.

## **6 FINANCIAL IMPLICATIONS**

- 6.1 The costs of preparing and publishing the LDS document can be met from within existing budget. The costs of preparing the proposed Local Development Documents is expected to be met from future existing budgets, supported by the Planning Delivery Grant.

## **7. LEGAL AND POLICY IMPLICATIONS**

- 7.1 The production of a Local Development Scheme is a statutory requirement under the Planning and Compulsory Purchase Act 2004 and work should not be undertaken on Local Development Documents unless they are included in a current LDS.

## **8. RISK MANAGEMENT**

- 8.1 The revised timetable for the Core Strategy and other DPDs is dependent upon the Regional Assembly maintaining their timetable for the submission of the Phase 2 review proposals. A failure to achieve the LDS key milestones could adversely impact on future Planning Delivery Grant payments and BVPI 200b results.

## **9. CONSULTEES**

- 9.1 CMT

## **10. BACKGROUND PAPERS**

Wyre Forest District Local Development Scheme August 2005  
ODPM Circular 05/2005 Planning Obligations  
PPS12 : Local Development Statements  
West Midlands Regional Assembly RSS Update  
Draft PPS3 : Housing

2<sup>nd</sup> March 2006