



Community & Regeneration Scrutiny Committee

Briefing Paper

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Open

Wyre Forest District Local Development Framework – Submission Core Strategy

1. Purpose of Briefing Paper

- 1.1 This paper seeks Members views on the pre-submission publication version of the Core Strategy, which is attached at Appendix 1 to the report. It is intended that the Core Strategy will be published for a 6 week period from the 7th January to invite representations, prior to its Submission to the Secretary of State in April 2010.

2. Background Information

- 2.1 Following the introduction of the new planning system in September 2004, the District Local Plan (January 2004) is being replaced with the Local Development Framework (LDF). The LDF will be made up from a portfolio of Development Plan Documents (DPDs), which will provide the development blueprint for the District to 2026. The first of these documents to be produced is the Core Strategy.
- 2.2 The Revised Local Development Scheme (LDS) (August 2008) sets out the key milestones for the production of the Core Strategy. The next key milestone in the Core Strategy's preparation is Submission to the Secretary of State.

3. Purpose of the Core Strategy

- 3.1 The Core Strategy is the key strategic level document within the LDF and has a central role in the process of place shaping. It will set out the broad strategy and vision for development within the District up until 2026. The Core Strategy needs to be prepared in general conformity with the Regional Spatial Strategy (RSS). Due to its strategic and overarching nature it will set the context for the more detailed, site specific elements of the LDF which will be contained in the Site Allocations & Policies and Kidderminster Central Area Action Plan DPDs. Furthermore, it must help to deliver the priorities set out in the District's Sustainable Community Strategy (SCS).

4. Producing a “sound” Core Strategy

4.1 Prior to its adoption, a DPD must be subjected to independent examination in order to check that it has complied with legislative requirements. As part of the examination, the Inspector must determine whether the plan is “sound” (i.e. that it is justified, effective and consistent with national policy). The Publication Version of the Core Strategy has therefore taken full account of the evidence base documents; the Sustainability Appraisal process and national and regional planning policy. Throughout the production of the Core Strategy, Officers have followed emerging good practice and maintained discussions with the Government Office for the West Midlands (GOWM) and the Planning Inspectorate.

Frontloading

4.2 An important factor in demonstrating the soundness of a DPD relates to being able to show wide public engagement in its development. Public consultation is required by Regulation 25 of the The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

4.3 Members may recall that extensive public consultation has been undertaken during the Core Strategy’s development in accordance with the Council’s Adopted Statement of Community Involvement. To recap, consultation stages have taken place as follows:

- An Issues and Options Paper was published for consultation purposes in July 2007.
- A further consultation on a Revised Issues and Options paper took place in January 2008.
- The Preferred Options Consultation Paper was published in January 2009. Over 500 responses were received and these were reported to Members in April.

This early “frontloading” process will help to minimise the number of representations received at the Publication Stage.

4.4 During the last stage of Consultation – the Preferred Options, over 500 responses were received. All responses to the Core Strategy have been fully considered by Officers, when developing the policies in the Publication version of the document.

A Robust Evidence Base

4.5 Planning Policy Statement 12: Local Spatial Planning indicates that “Core Strategies must be justifiable: they must be founded on a robust and credible evidence base.” To achieve this Local Planning Authorities are required to maintain an up-to-date information base on key aspects of the social, economic and environmental

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characteristics of their area. The Policy and Regeneration Section has commissioned a number of studies to inform the preparation of the LDF. Officers are also finalising a number of in-house documents such as the Strategic Housing Land Availability Assessment (SHLAA) and the Employment Land Review. Comprehensive details of the Evidence Base documents can be found in the Local Development Framework Core Strategy Review Panel Agenda dated 14th October 2009.

Sustainability Appraisal

4.6 All DPDs are required to undergo Sustainability Appraisal (SA) as an integral part of their development. SA is a process which enables Local Planning Authorities to assess to what extent their DPDs meet the Government's sustainability objectives. The SA for the Core Strategy has been undertaken in a number of stages and the following reports have been produced:

- SA Scoping Report (March 2007)
- Revised SA Scoping Report (July 2007)
- Initial SA Report (January 2008)
- Draft SA Report (January 2009)

4.7 All of the above reports were produced in-house. As the SA work had been carried out by Officers who were also producing the Core Strategy, it was considered necessary to commission consultants to undertake an independent check of the work. The consultants report was published in June 2009 and its recommendations have been considered in the development of the Final SA Report.

4.8 The Final SA Report tests the options and the publication policies against the SA Framework and identifies potential positive and negative impacts arising from them. The results of the SA have informed the development of the Publication Core Strategy. Mitigation measures have been put forward to address any possible negative effects arising from the core policies. A set of monitoring indicators have been developed to monitor progress against the SA objectives, wherever possible, these indicators overlap with those put forward for monitoring the policies set out within the Core Strategy. A copy of the Final SA Report is available electronically (Appendix 2)

National and Regional Planning Policy

4.9 The Core Strategy needs to be consistent with national and regional planning policy, unless local circumstances as demonstrated in the evidence base documents justify a departure. It is also important that the policies within the Core Strategy do not simply repeat national

and regional planning policy, which are already a material consideration within the planning process.

- 4.10 The Council is required to make a request to the West Midlands Regional Assembly (WMRA) seeking advice as to the proposed submission document's conformity with the Regional Spatial Strategy. A request will therefore be made on the commencement of the pre-submission publication stage of the Core Strategy.

5. Publishing the Core Strategy

- 5.1 Regulation 27 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, requires that before submitting a DPD the Local Authority must publish and make available the documents it proposes to submit. The pre-submission publication version is essentially the Draft Core Strategy and in accordance with the regulation it will be published for a 6 week period in order for representations to be made.
- 5.2 The consultation on the pre-submission Core Strategy and Sustainability Report will take place between 7th January and 18th February 2010. Representations will be invited on the pre-submission publication documents, which the Council intends to submit for independent examination. Appendix 3 to this report sets out the publication arrangements that will be undertaken in order to meet the requirements of the legislation.
- 5.3 This process is intended to assist local authorities in reviewing the representations received following Publication and to consider if any are so significant that changes to the Core Strategy would be required prior to its Submission. The representations must be submitted alongside the Core Strategy and will be taken into account by the Planning Inspector at the examination.

6. Submitting the Core Strategy

- 6.1 Regulation 31 requires the Local Authority to consider the representations received during the pre-submission publication stage and to produce a summary of the main issues raised. This should then be submitted in accordance with Regulation 30 along with all specific documentation to the Secretary of State.
- 6.2 Members are reminded that the Local Authority, when publishing and submitting the Core Strategy must be confident that it is Sound. In preparing the summary of the main issues raised, Officers may consider that certain representations, particularly those submitted by Government bodies, may cause them to reconsider if the Core Strategy is sound.

- 6.3 However, in the Officer's opinion the pre-submission publication version of the Core Strategy is based on a comprehensive frontloading process culminating from a series of consultation stages in accordance with the Adopted Statement of Community Involvement. It is also informed by a comprehensive Sustainability Appraisal process including an independent check. Finally, a robust evidence base has been produced to provide the background to policy making. It is considered that this comprehensive frontloading process will reduce the likelihood of receiving such representations on the pre-submission publication Core Strategy.

7. Further Editorial Requirements for the Pre-Submission Publication Core Strategy

- 7.1 Members should note that due to the timeframes involved in the Committee Cycle that the Publication Core Strategy is subject to further editing in terms of its legibility, format and correction prior to public consultation taking place in January 2010. However, the main content and structure of the document as attached at Appendix 1 will remain the same. The document is to be published using the Limehouse Software System, which will enable interactive consultation. It will therefore require further formatting work using this software package, particularly in relation to the insertion of images.
- 7.2 At the time of preparing these agenda papers, Officers are awaiting the Draft Report on the Viability Appraisal of Potential Residential Sites, from consultants GVA Grimley. The findings of this report may have some implications for the Core Policies – in particular the viability of the affordable housing targets set out under Policy CP04: Affordable Housing. Officers will be able to provide a verbal update on this at the meeting.
- 7.3 Officers took part in the Planning Inspectorate's (PINs) Support Programme, which is a PINs initiative to provide support and advice to Local Planning Authorities as they produce their LDFs. This helps to reduce the extent and range of issues that have arisen through the examination process. A meeting with representatives from PINs and Government Office West Midlands (GOWM) was held on 27th October to discuss the Draft Publication Core Strategy.
- 7.4 The meeting did not raise any fundamental issues that would affect the Core Strategy's production timetable. However, the Inspector raised a number of important points, which Officers consider would add to the robust nature of the Core Strategy and that these should be incorporated into the document prior to its pre submission publication in January. In summary, the following issues were raised:
- The need to outline a strategy for allocating future sites within the Site Allocations and Policies and Kidderminster Central

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Area Action Plan DPDs that will be based on evidence from the SHLAA

- Reduce the descriptive nature of the Characteristics and Challenges and bring out the challenges that face the District both now and in the future, more strongly; and
- Generally reduce the number of pages by removing descriptive text that can be found elsewhere in the accompanying evidence base or higher level policies.
- Amend the key diagram to clearly show where new development will be directed to within the District.
- The need to take account of viability in the Affordable Housing Core Policy and association with residual land values.
- Consideration could be given to using concept diagrams to illustrate particular issues.
- Remove the historic environment Core Policy. It is considered that this does not add anything to existing national planning policy and that it is covered through the Design and Local Distinctiveness and Landscape Character policies.
- Remove the references to “Additional Guidance for Applicants” under each policy.
- Include references to key pieces of evidence base within the footnotes.
- Make sure that the Monitoring & Implementation Framework is robust to facilitate a plan, monitor and manage approach and to reduce the need to review the Core Strategy in the future.

8. Recommendations from the Local Development Framework Core Strategy Review Panel

- 8.1 The Local Development Framework Core Strategy Review Panel has considered in detail the development of the Core Strategy Publication version; the accompanying Sustainability Appraisal and pre-submission publication arrangements at a series of meetings throughout October.
- 8.2 A summary of the comments made by the Panel is set out at Appendix 4 for the Committee’s information.

9. Options for the Committee

9.1 The Committee may wish:

- To endorse and recommend to Cabinet the Draft Pre-Submission Publication Core Strategy, it's accompanying Sustainability Appraisal Report and the arrangements for Pre-Submission Publication as set out at Appendixes 1 - 3 to this report.
- Put forward alternative or additional proposals for consideration by the Cabinet.

10. Next Steps

10.1 The Draft Publication Core Strategy, Sustainability Appraisal report and Publication arrangements will be considered by Cabinet on 24th November and by Council on 2nd December. Subject to Council approval, the Core Strategy will be published for a 6 week Consultation period commencing on 7th January 2010. It will then be submitted along with the representations received during publication, for independent examination in April 2010.

11. Appendices

- 11.1 Appendix 1: Draft Publication Core Strategy [**Please note that this appendices 1 and 2 have been distributed electronically due to their large file sizes**].
- 11.2 Appendix 2: Core Strategy Sustainability Appraisal Report
- 11.3 Appendix 3: Arrangements for Publication and Submission of the Core Strategy
- 11.4 Appendix 4: Recommendations from the Local Development Framework Core Strategy Panel Meetings 21/10/09 & 28/10/09

12. Background Papers

- 12.1 Revised Local Development Scheme (August 2008)
- 12.2 Core Strategy Preferred Options Consultation Paper (January 2009)
- 12.3 Adopted Statement of Community Involvement (April 2006)
- 12.4 LDF Panel Reports and Minutes (14/10/09, 21/10/09 & 28/10/09)

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