

**AGENDA ITEM No. 10**

PEAK DISTRICT NATIONAL PARK AUTHORITY

NATIONAL PARK AUTHORITY MEETING

3 OCTOBER 2008

CHIEF EXECUTIVE

PART A

**1. LOCAL DEVELOPMENT FRAMEWORK, REFINED OPTIONS STAGE (A.6101/AG/BJT)**

**Proposal**

- 2 To authorise officers to run a programme of consultation on Refined Options proposals as the next stage in the preparation of the Local Development Framework (LDF); and to formalise current milestones agreed with the Plans Review Task Team (PRTT) for the LDF programme into a revised Local Development Scheme (LDS) for submission to Government Office East Midlands (GOEM).

**3 RECOMMENDATION:**

**That**

- 1. Members agree the proposed process of consultation on Refined Options proposals as the next stage in the preparation of the LDF Core Strategy.**
- 2. Members agree the current milestones for the Local Development Framework programme as proposed by the LDF Project Board and supported by the PRTT, and delegate authority to the PRTT to approve a revised Local Development Scheme being prepared by officers for submission to Government Office for the East Midlands.**

**Policy/Legal Background**

- 4 The Planning and Compulsory Purchase Act 2004 introduced a new system for development plans in England, and new regulations for their preparation. The new system comprises Regional Spatial Strategies (RSSs) produced by regional planning bodies, and Local Development Frameworks (LDFs) produced by local planning authorities.

The East Midlands RSS will contain land use policies for the whole of the Peak District National Park territory and is currently at the Examination stage having been in preparation for the past two years. A report on the Authority's response to the Examination Panel Report is being provided separately to this Committee.

Local Development Frameworks comprise a new suite of planning documents known as Development Plan Documents (DPDs) that are developed through a programme of key stages that follow the Regulations. The Authority is currently in the production stage of a Core Strategy incorporating broad aims and overarching policies for spatial development and appropriate levels of Development Control policies for a range of land use matters. A further transition stage will take forward the newly adopted Core Strategy by reviewing and aligning more detailed policies as required through other style DPDs. For example,

reviewing existing Supplementary Planning Guidance (SPG) or area specific policies or very detailed topic Local Plan policies and aligning them in new DPDs under the adopted Core Strategy.

Other Local Development Documents that also make up the LDF are a Local Development Scheme (LDS) that is a 3 year rolling project plan for the stages of the LDF programme; and an Annual Monitoring Report (AMR) that provides information on the extent to which policies are being achieved, and tracks annual progress against the LDS.

### The Core Strategy

The Core Strategy will be a document setting out the overall vision and spatial strategy for delivering National Park purposes and promoting sustainable development in the period to 2026. It will cover the main land use sectors, such as housing, transport and economy. It must also incorporate a Minerals and Waste Core Strategy in line with the requirements on the Authority as a minerals and waste authority.

The Core Strategy must conform to national planning policies and guidance and the Regional Spatial Strategy for the East Midlands. It must have regard to the range of Community Strategies of constituent authorities, achieve the statutory purposes and duty of the National Park, and be consistent with the National Park Management Plan.

The Core Strategy is also required to have a Sustainability Appraisal/Strategic Environmental Assessment that informs the key stages of understanding issues, developing options and making policy proposals. This is being carried out by Land Use Consultants in conjunction with the Authority's Policy Planning Team.

### **Key Issues**

#### 5 Local Development Scheme

Over the last 12 months the Planning Policy Team have been working to the LDF indicative timeframe that was reported and approved by Authority in October 2007 (Min 89/07). This was accepted as a holding plan until more information was available to formally revise the LDS. The further information required was on changes to regulations, the request to 'save' existing Authority policies, and the timescales for the delivery of the evidence studies jointly commissioned with Derbyshire Dales and High Peak Councils.

As this information has become available, there has been a series of consultations with the PRTT and involving a Planning Advisory Service appointed 'critical friend'. As a result, the following main proposals from the LDF Project Board were supported by the PRTT for formally revising the LDS:

- That the regulations no longer require a formal Preferred Options document and consultation process. Our response to this is to produce a less formal 'Refined Options' document, but to still conduct a range of stakeholder and public consultation processes at this stage.
- That we should bring forward appropriate Development Control policies and combine them into the Core Strategy document so that the Authority can move forward in key areas of policy without the need to produce and wait for a later adoption of a separate complete Development Control policy DPD.
- That we focus LDF programme effort on submitting the Core Strategy (i.e. the production stage) ahead of starting work on the supporting DPDs required in the transition stage.

- That we procure an LDF software tool that will extend and improve our authoring and consultation processes using web-based facilities.
- That our plans for stakeholder and community engagement should involve both one major event covering all land-use topics and a series of area events to help identify specific area issues.
- Secure approval from GOEM to 'save' the main existing Authority policies until they can be replaced. This has now been secured.

The resulting milestones supported by PRTT for the revised LDS are as follows:

Key Milestones	Dates
Production Stage	
Core Strategy* Refined Options Authority approval for consultation	3 Oct 2008
Core Strategy* Refined Options consultation complete	31 Mar 2009
Core Strategy* Authority approval for representation & submission	2 Oct 2009
Core Strategy* Submission to Secretary of State	1 Feb 2010
Core Strategy** Examination and Adoption	31 Mar 2011
<u>Transition Stage</u> i.e. reviewing SPG/area/very detailed policies and the development of further specific DPDs as required	Following Core Strategy Submission
*Core Strategy now includes appropriate Development Control level policies	
** The examination process is assumed to be 12 months but may be less.	

Officers are now making these revisions to the LDS in line with the current programme and milestones, but continue to require delegated authority to the PRTT to agree and adopt the document before submission to GOEM.

## 6 Refined Options Consultation

Following the new PPS12 and regulatory amendments to the LDF procedure that came into force in June 2008, the Policy Planning Team in consultation with PRTT have been working towards a set of Refined Options proposals and a consultation process. The Refined Options are presented as a set of 7 spatial theme papers (that are expected to form the eventual chapters of the core strategy) as follows:

- Landscape
- Sustainable Communities
- Climate Change
- Economy
- Housing
- Minerals
- Transport

Each paper will set out the spatial objectives and drivers for the theme and the key findings from evidence. They will also present the key issues that have come through the previous stages of Issues and Options consultation, and provide an up to date set of options that have been refined from the original consultations as a result of evidence analysis, sustainability appraisal and input from stakeholders.

The public consultation process is required to check that we have identified an adequate range of options that are reasonable for achieving the spatial objectives for the themes of the proposed Core Strategy. All responses to the consultation must be logged and taken into account in the future assessment of the options and may lead to changes or

additions to refined options being presented (see below). A report of the Sustainability Appraisal of the published options must also be made available for public consultation .

The main stages of this consultation are as follows:

- A major stakeholder workshop took place on 5<sup>th</sup> Sept.
- An internal Member workshop is scheduled for 24<sup>th</sup> Oct.
- A series of community events covering different areas of the National Park and shared with the Landscape Strategy work are scheduled during October:
  - o 6 Oct – Kettlethulme
  - o 8 Oct – Hathersage
  - o 14 Oct – Hayfield
  - o 15 Oct – Warslow
  - o 18 Oct – Bakewell (Aldern House)
  - o 20 Oct – Bradfield
  - o 22 Oct - Holme
- Publishing the 7 spatial theme Refined Options papers for public consultation and response over a 12 week period (including on-line through the new Limehouse system) to be completed by 31 Mar 2009.
- Publishing the Sustainability Appraisal report on the published Refined Options as supporting information to consultees during the 12 week period.
- Seeking expert opinions from the Authority's Planning Service and other statutory authorities over the same period.

The stakeholder workshop on the 5<sup>th</sup> September reviewed the range of draft Refined Options to date for each of the spatial themes. The outputs show much support for the draft options being presented and a number of considerations for amending and extending the Refined Options further in some areas. The findings will form the basis of the Member workshop scheduled for 24<sup>th</sup> October. Annex 1 provides a summary of these findings for consideration as part of the forthcoming Member workshop.

Officers will be working to ensure the subsequent public consultation process is easy for people to use and as wide ranging and effective as possible. A new specific LDF on-line consultation tool (the Limehouse system) is being used for the first time and will enable anyone with access to the web to logon to a system and have access to facilities to review the documentation, review others comments, answer key topic consultation questions and have on-line editing facilities to make their own comments or put forward policy ideas. Traditional hard copies and response questionnaires will also be made available. There will also be a series of community based events in conjunction with the Landscape Strategy work at which the Policy Planning Team will raise awareness of the consultation and capture local issues where they are raised.

At the end of this consultation, work will begin on appraising the Refined Options as a result of responses made, and selecting the final options for the Core Strategy. Government guidance emphasises the importance of showing the application of 3 key tests:

- A 'reasonableness test' – that the option contributes specifically to the spatial objectives, and is expressed in sufficient detail and implementable in practice.
- A 'community engagement test' – that the option has been developed and refined through a process of continuous engagement.

- A 'Sustainability Appraisal test' – that the SA findings applied to the option have been taken into account.

This process will be conducted by officers in consultation with the PRTT and other key stakeholders throughout the spring and summer of 2009. Officers are required to seek approval from the Authority for the Core Strategy document and its publication for final public representation and subsequent submission for Examination. This is scheduled for 2 Oct 2009.

In order to proceed with this next stage of consultation of proposed Refined Options, officers are seeking the Authority's approval to the process and programme outlined above.

## **APPENDIX**

### **Background**

#### 1 The LDF process and principles

The LDF process is governed by PPS12 and regulated by Government Department for Communities and Local Government (DCLG). GOEM is the body that scrutinises individual local planning authority LDF programmes by approving the LDS. The Planning Advisory Service provides guidance to local planning authorities on good practise in the LDF process where required and supported by GOEM.

DCLG have highlighted six principles of spatial planning in relation to the new LDFs:

- Visionary – setting out a clear, distinctive and realistic vision of how an area will develop and change;
- Wide-ranging – going beyond a narrow land-use focus to provide a mechanism for delivering sustainable development objectives by addressing social, environmental and economic issues and relating them to the use of land;
- Participative – based on strengthened mechanisms for community involvement to consider the needs, issues and aspirations of communities and stakeholders within an area, to provide a basis for making difficult choices and to build commitment to delivery;
- Integrating – an integrated approach which informs, takes account of and helps deliver other strategies and policy,
- Response – a flexible approach, informed by monitoring, that can respond to developments in wider policy, degree of progress with implementation, development pressures and changes on the ground; and
- Deliverable – focusing on implementation, including development control, and identifying how the plan will be delivered with and through other organisations with the powers and resources to make a difference.

#### 2 The Authority's previous Local Development Schemes

The Authority's first LDS providing a formal forward plan of the LDF programme and stages was approved in June 2005. However, changes to guidance, lack of up to date evidence and resource issues led to a revised LDS being approved at the beginning of 2007 (Authority, Min 13/07). This followed the regulations and guidance at the time.

During May 2007 an external review was conducted by consultants for the Planning Advisory Service, which highlighted the need for more detailed evidence studies on key topics, more spatial content in the proposed options, and more stakeholder consultation before Core Strategy Preferred Options were proposed. As a result of this, a revised indicative timeframe was reported and approved by Authority in October 2007 (Min 89/07).

### **Resources**

- #### 3
- The resources for the 'next stage' Refined Options consultation programme are within current financial year approved budgets for the LDF. Future year budgets for the remainder of the LDF programme have been allocated and will be reviewed as part of annual budget monitoring.

**Risk Management**

- 4 There is a risk that GOEM may not approve the revised LDS. However, discussions with them to date have indicated they understand our revisions and have not indicated any particular concern with them.

**Human Rights, Equalities, Health & Safety**

- 5 The publication for public consultation of the Refined Options needs to ensure it addresses any equality issues in ensuring ready access to the information published.

**Consultees**

- 6 Head of Policy, Chief Executive, and internal LDF Project Board

**Enclosures**

- 7 None

**List of Background Papers** (not previously published)

- 8 None

**Report Author**

- 9 Andy Guffogg (Head of Policy, Research and Partnerships) in consultation with Brian Taylor (Policy Planning Manager).

**Publication date**

- 10 25 September 2008