
Meeting: Executive
Date: 10 November 2009
Subject: LDF (North): Core Strategy and Development Management Policies Development Plan Document
Report of: Cllr Tom Nicols, Portfolio Holder for Sustainable Development
Summary: The report proposes consideration of this Development Plan Document (DPD) in advance of consideration by Council for formal adoption. This follows the recent Public Examination and Inspector's Report.

Advising Officer: Gary Alderson, Director of Sustainable Communities
Contact Officer: Simon Andrews, LDF Team Leader (North Team)
Public/Exempt: Public
Wards Affected: All
Function of: Council
Key Decision Yes
Reason for urgency/ exemption from call-in (if appropriate) Not applicable

CORPORATE IMPLICATIONS

Council Priorities:

Adoption of the Development Plan Document will provide the framework for managing growth effectively in Central Bedfordshire, as well as indirectly supporting all the other priorities.

Financial:

The revenue cost for work in the current year will be paid for from equalised reserves of £116,000 brought forward for this specific purpose.

Timely progress on DPDs, and particularly timely adoption of Core Strategies, is linked to financial incentives for the Council through the Government's Housing and Planning Delivery Grant (HPDG). An announcement on the provisional allocation of HPDG for progress made in the year 2008/9 is expected from Government shortly. This will be paid in 2009/10 and was budgeted to be up to £750,000, of which around one quarter will reflect progress on the Core Strategy. The Core Strategy element of any HPDG awarded in 2010/11 will be based on adoption of this DPD by Council in November.

Legal:

This is a statutory document, part of the Local Development Framework and will form part of the Development Plan. It is a statutory requirement to produce a Local Development Framework (LDF) under the Planning and Compulsory Purchase Act 2004. The LDF process is regulated by the Town and Country Planning (Local

Development) (England) Regulations 2004 and subsequent amendments. The determination and consideration of Development Plan Documents is a function of Council under the Local Authorities (Functions and Responsibilities) Regulations.

Risk Management:

The DPD has been completed apart from production of the final document.

Staffing (including Trades Unions):

None

Equalities/Human Rights:

The document has been screened for Equality and Diversity Issues

Community Safety:

None

Sustainability:

The Document has been assessed at various stages in development under the Sustainability Appraisal/Strategic Environmental Assessment requirements as set out in the Government's Planning Policy Statement 12. The entire document is aimed at promoting and enabling sustainable development.

RECOMMENDATION(S):

that the Executive recommends Council to adopt the Core Strategy and Development Management Policies Development Plan Document.

Reason for Recommendation(s): To ensure the Council complies with the statutory requirement to produce a Development Plan through the production of the Local Development Framework (North).

Background

1. The Local Development Framework (LDF) is a series of documents which collectively deliver the spatial planning strategy for Central Bedfordshire. The LDF (North Area) covers the former Mid Bedfordshire Area and the LDF (South Area) is prepared jointly with Luton Borough under the Joint Committee. The system differs from the Local Plan Process in that the Core Strategy, which is the key plan within the LDF has a wider remit than purely land use planning with a strong link to the Sustainable Communities Strategy and an emphasis on delivery.

2. Development Plan Documents (DPD), a component part of the LDF, make up the statutory Development Plan, together with the East of England Plan. The statutory process of preparing a DPD is set out in the Planning Regulations and comprises many stages and types of consultation. Under the Local Authorities (Functions and Responsibilities) (England) Regulations, the adoption of the DPD is a function of the Council.

The Core Strategy and Development Management Policies DPD.

3. This DPD is part of the LDF (North Area) and is in two parts. The Core Strategy part sets out the vision for the area in planning terms, based on the vision of the Community Strategy. It then explains how that vision will be achieved and delivered on the ground. The basic requirements of a Core Strategy are to set out how land for new homes and jobs will be provided i.e. "where, when and how much". The Core Strategy is the key document within the LDF and all other documents should be in line with it. The second part of the DPD contains Development Management Policies, which take up the broad themes in the Core Strategy and set out the approaches and criteria that will be used to determine planning applications.
4. Work on this DPD commenced in mid 2005. Since then there has been significant stakeholder consultation. During 2006, public consultation took place on key issues and local priorities and stakeholder workshops were held to discuss further detail. In 2007 the "Plan this Place" consultation sought comments from the public on a number of options in relation to new housing, employment and environmental issues. A leaflet was sent to every household in the district and local exhibitions were held, which together generated around 5,000 questionnaire responses. This consultation was hugely important in terms of setting the framework for further work and the basic strategy behind the DPD, particularly on the distribution of development, was underpinned by the results of this consultation. A "Preferred Options" document was subject to more public consultation later in 2007 and the strategy was further refined based on the responses.
5. From the early days this work has been overseen by the former Mid Beds LDF Member Task Force which met on a monthly basis, or more often when needs arose. Members considered reports on the "direction of travel" for emerging policies and strategies, key themes arising from consultation and emerging technical reports. Regular progress updates were reported to the Scrutiny Committee. A number of Member briefings also took place to coincide with the start of public consultation. More recently a Member workshop was held on 13 October 2009, which covered various strategic planning and transport issues, including the Core Strategy and Development Management Policies DPD.
6. The former Mid Bedfordshire District Council agreed the Submission to the Secretary of State of the Core Strategy and Development Management Policies DPD at its Council meeting on 25 September 2008. Following a period of consultation the document was submitted in February 2009 and the Examination of the DPD by the Planning Inspectorate took place in June and July 2009.

7. The purpose of Examination is for the Inspector to determine whether the DPD satisfies the requirements of the Planning & Compulsory Purchase Act 2004, the Planning Regulations and whether the document is 'sound' under the provisions of PPS12 i.e. whether it is justified, effective and consistent with national policy.
8. The Inspectors Report was received on the 18th September 2009 and is available on the LDF pages of the Council's website. It confirms that, subject to certain changes, the DPD complies with the legal planning requirements and is considered sound. The Inspector supported the Council's approach on the majority of issues and only exceptionally has he made changes. This is a significant achievement for Central Bedfordshire Council. Only around 20% of Councils in England have produced a sound Core Strategy.
9. On issues such as the overall development strategy, which includes the significant new development proposed at Arlesey, and the overall employment strategy the Inspector supported the Council's proposals. The Inspector also supported the Council's proposals to increase the percentage of affordable housing required from new development (from 28% to 35%) and, more importantly, the lowering of the threshold for provision (reduced from the current 25 dwellings down to 4 dwellings). This could have significantly positive impact on the delivery of affordable housing in the northern part of Central Bedfordshire.
10. The biggest area of change made by the Inspector was in respect of the area around Milton Keynes where the Council's proposal for an extension to the Green Belt was not accepted. The Inspector considered this to be a strategic issue that should be addressed through the forthcoming review of the East of England Plan rather than a purely local issue that could be determined locally. The Council's response to the East of England Plan (considered elsewhere on this agenda) will therefore address this issue and particularly the relationship between the growing city and the nearby villages of Aspley Guise and Husborne Crawley.
11. A Proposals Map will be prepared which illustrates all the policies which have a map base both in this document and policies which remain in existence in the Local Plan. The Proposals Map will be updated as each DPD is adopted and it also illustrates national designations and constraints.
12. The changes made by the Inspector are binding on the authority. Unlike reports on previous Local Plans which contained "recommendations" for the authority to consider and act upon, these changes are binding and the Council is not able to amend them in any way. The document is therefore put forward in its final form to be considered for adoption.

Conclusion and Next Steps

13. The achievement of this important milestone in the production of the LDF (North) enables progress to be made towards managing growth in housing and jobs in a sustainable and effective manner across the area. With an adopted strategy in place this will occur in a number of ways:
 - The Site Allocations DPD, which translates the Core Strategy's targets for homes and jobs into specific sites, will be able to progress towards Examination, bring clarity to local communities on future development sites;
 - An up-to-date set of Development Management Policies can be implemented to approve appropriate planning applications and resist inappropriate ones, including those for opportunistic development in countryside locations;
 - The Design Guide Supplementary Planning Document can be adopted to help secure the best possible standard of design and layout for new development;
 - Work on securing appropriate infrastructure to support new development can continue through liaison with service providers and delivery agencies, in the context of an adopted and agreed vision and strategy; and
 - The Planning Obligations Strategy Supplementary Planning Document can be adopted to help secure appropriate contributions from developers towards new infrastructure;
14. This DPD is therefore critical to the Council's work to manage growth effectively and will deliver real benefits to local communities, particularly in terms of increasing certainty and delivering high quality new development.
15. Upon adoption, the DPD will be produced both in paper and electronic form, a Proposals Map prepared and the requirements under the Planning Regulations to inform the public and stakeholders will be carried out. The document attached to this report will be published (including any formatting changes and typographical corrections) in line with the Council's branding guidelines.

Appendices:

Appendix A – (Core Strategy and Development Management Development Plan Document)

Background Papers: (Report on the Examination into the Core Strategy and Development Management Policies DPD by John Mattocks, an Inspector appointed by the Secretary of State for Communities and Local Government)

Location of papers: Priory House, Chicksands