

THE COPELAND LOCAL DEVELOPMENT SCHEME

EXE 111108
Item 10

EXECUTIVE MEMBER: Cllr Mrs C Giel
LEAD OFFICER: Julie Betteridge
REPORT AUTHOR: John Hughes

Summary and Recommendation:

This report sets out the recommendations of the Local Development Framework (LDF) Working Party for revising the Council's Local Development Scheme – the work programme for producing the LDF over the next three years.

The Executive is requested to endorse the Working Party's recommendations and to invite Full Council to:

- a) formally adopt the revised LDS and
- b) approve an addendum to the Council's Statement of Community Involvement so as to align it with the revised LDS and recent legislative changes.

1. INTRODUCTION

- 1.1 It is necessary to reassess the Council's Local Development Scheme (LDS). This is the formal work programme which sets out how the Council will prepare the portfolio of planning policy documents that will make up its Local Development Framework – and eventually replace the Copeland Local Plan. The LDS details the documents that will be produced, the time table for producing them, including key milestones and the resources required. It provides the starting point for the local community or any interested party to find out what the current planning policies are for the area, and how we intend to replace these in the future.
- 1.2 There are three reasons for this reassessment: Firstly, during the 12 months since the previous LDS was adopted (Min ref C154) two important new local strategies have been produced – the Energy Coast Masterplan and the West Cumbria Sustainable Communities Strategy, "Future Generations". These two documents are key drivers behind delivering Copeland's regeneration and set out a vision of where we want to be in the future. The LDS provides the work programme for delivering the land use planning aspirations of these documents and it is therefore essential that we realign the programme accordingly.

- 1.3 The second reason is the need to acknowledge that the 2007 version of the LDS was too ambitious – in terms of the number of planning documents we wanted to produce, the timetables for delivering them and the resources available to us. Recent changes to the legislation (see 1.4 below) have meant that we can now combine some of the previously separate pieces of work and create a sharper, more focussed work programme which better reflects our priorities and the available resources.
- 1.4 The third reason is the need to take account of changes to the legislation governing planning policy. In June 2008 the government published a new version of Planning Policy Statement 12 on Local Development Frameworks, '*Creating strong safe and prosperous communities through Local Spatial Planning*' and this accompanied amendments to the 2004 Regulations. The effect of these changes is to simplify and speed up the processes of document production, examination and adoption and means that we can streamline some of the stages in the LDS. They also mean that we have to amend the terms of the Council's Statement of Community Involvement which was formally adopted in January 2008 (see paragraph below).

2. THE PROPOSED LDS

- 2.1 The Council's Local Development Framework Working Party met on the 12th August and 30th October to discuss potential changes to the 2007 LDS and make recommendations to the Executive and, in due course, Full Council. These recommendations are based on extensive consultation with stakeholders and partners, including two sessions at the Government Office in Manchester. It is important that we try and ensure that the scope of the work and the timetable are in line with their expectations and with the ability of the Planning Inspectorate to deal with the Examinations (previously the Local Inquiry process).
- 2.2 A Gantt chart which shows the proposed LDS programme is attached as Appendix 1. This indicates the overall timetable for the production of documents and the various stages and milestones involved. The revised "table of contents" is as follows:
- 2.3 Our main priority for 2009-2011 will be the production of the **Core Strategy**. This will set out the strategic issues for Copeland for the next 20 years and will establish the spatial policy framework within which all other Local Development Documents in the LDF must sit. It will set out the key elements of a development strategy for the Borough and give expression to the vision and priorities in "Future Generations". It will also assist delivery of the Council's Corporate Plan, its Regeneration Delivery Plan, Housing Strategy etc and the spatial land use elements of the Energy

Coast Masterplan together with the land use priorities in the plans and strategies of other key partners within the LSP. The Core Strategy will contain a number of strategic site allocations and a series of high level development policies designed to achieve sustainable regeneration. It will include a key diagram which will illustrate the broad spatial development strategy. All other documents in the LDF will have to be in conformity with the policies set out in the Core Strategy. In the previously adopted LDS a number of Action Area Plans and other documents had been scheduled to provide a planning policy base for the economic masterplans produced in recent years for Whitehaven, Cleator Moor and the Market Towns. It is now proposed to pick up these items as strategic matters within the Core Strategy.

- 2.4 The **Site Allocations DPD** (Development Plan Document) will set out policies and proposals which allocate sites for development or earmark areas of land for protection and/or enhancement. For example, it will include sites designated for retail use, employment land or housing as well as sites designated for nature or heritage conservation purposes. Specific land allocations and designations will be shown on a Proposals Map.
- 2.5 The **Development Management Policies DPD** will contain a number of policies to control the development and use of land, and will set out the design standards and criteria against which planning applications will be considered. The development of this document will be closely linked to the ongoing monitoring and review of the Copeland Local Plan policies which is part of the Council's Annual Monitoring Report.
- 2.6 The documents will be supported by a series of maps on an Ordnance Survey base known as the **Proposals Map**. The current Proposals Map (with inset maps) is published as part of the Adopted Copeland Local Plan (2001-2016). As the new documents are prepared and adopted the Proposals Map will be amended to reflect new allocations or areas of protection etc.
- 2.7 There are a number of other supporting documents – Supplementary Planning Documents or **SPDs** which do not contain policies in themselves but help to explain how policies in the DPDs will be implemented by the Council. We have already produced the **Pow Beck Valley SPD** as a development brief to assist redevelopment of an important regeneration site and the **Wind Energy SPD** which provides locational guidance for wind farm developments. Both are *supplementary* to the Adopted Local Plan until the Core Strategy is completed and both were formally adopted by Council in January this year. Two further SPDs are proposed: a **Planning Obligations SPD** which would set out the Council's approach and strategy for the use of Section 106 agreements in negotiating on major planning applications and a **Whitehaven Town Centre and**

Harbourside SPD which would address redevelopment opportunities for a number of priority regeneration sites in Whitehaven Town Centre and Harbourside. The guidance will provide detailed development briefs for these sites as well as setting out general design and conservation guidance. It would support policies in both the Core Strategy DPD and the Site Allocations DPD.

- 2.8 A copy of the full document has been sent electronically to all members of the Executive, Corporate Team and consultees. Paper copies are available in the Members' Room or by request from the Development Strategy section. Subject to endorsement by the Executive it is intended to place the LDS before Full Council on 2nd December for Adoption and to submit the document to Government Office formally as the Council's work programme.
- 2.9 In addition to a revised LDS the Council will need to amend the terms of its **Statement of Community Involvement** which sets out how the Council will meet its obligations to involve local communities and stakeholders in the development of the LDF. The current SCI was formally adopted by Council on 25th September 2007 (Min C141 refers). The new PPS 12 and amended Regulations require some changes to explain the streamlining of certain stages and the proposed new LDS itself will need to be acknowledged in the text. A proposed Addendum to the SCI is therefore also submitted alongside the LDS with electronic and paper copies available as noted in paragraph 2.8.

3. **FINANCIAL AND HUMAN RESOURCES IMPLICATIONS (INCLUDING SOURCES OF FINANCE)**

- 3.1 The production of the DPDs and SPDs have a variety of costs associated with them. Some are direct like printing and postage but the majority are related to background studies, document preparation and the processes of adoption. The new planning system requires extensive consultation stages for each type of document as outlined in the Council's Statement of Community Involvement and proposed addendum. The Council must bear the full cost of the Examinations including the Planning Inspector's fees for pre-hearing, hearing and report writing phases (and these are already over £800 per day). All the documents must be subject to a rigorous Sustainability Appraisal and Strategic Environmental Assessment which will involve significant costs because specialists are needed to scope out and design the necessary framework. Full costs for this work could be close to £100,000 so we will need to examine ways of using our own staff to undertake some of the assessments. Also the LDF has to be based on an extensive, transparent evidence base relating to all the spatial issues covered. This has meant buying a Strategic Flood Risk

Assessment for Copeland and a new Retail Study and Employment Land Review in accordance with government guidance. The latter have been commissioned on a West Cumbria base jointly with Allerdale Borough Council as has the work recently commenced on a West Cumbria Strategic Housing Land Assessment. Further studies are required on additional housing matters, infrastructure requirements and other issues. Currently we are committed to £30,000 expenditure on such items this year and will need to find a further £10,000.

3.2 The other significant cost to be borne is for the use of consultants to support the LDF programme through its early stages. This has been considered necessary to satisfy the Government Office's concerns that the Council is putting sufficient momentum into its development planning obligations. Scott Wilson were appointed in July for a period of 6 months to help amend the LDS and begin work on Core Strategy issues and options at a cost of £65,000. It is considered that a further 6 months' commission from January will be required to ensure the first stages of DPD production are on track.

3.3 The current year's requirement is therefore as follows:

Consultancy support of LDF	£97,500
Sustainability Appraisal etc	£25,000
Evidence Base research/reports	£40,000
Total	£162,500

3.4 The budget lines available are as follows:

Planning policy revenue 08/09	£90,000
Planning policy c/fwd from 07/08	£40,000
Earmarked Reserve	£80,000
Total	£210,000

3.5 There is sufficient in the current year's Planning Policy budget to cover estimated costs – mainly because of previous years' underspend-savings due to staff shortages. However, the excess will have to go forward to meet the extra costs associated with Sustainability Appraisal and consultation requirements next year and we will need to build into future years' budgets sufficient to accommodate the programme of Examinations. It is likely that the Planning Delivery Grant (PDG) budget which currently supports some staff costs, training and equipment will be required to contribute to SPD production. There are other calls on the PDG monies to support development management and we are yet to have this year's award fully confirmed. As soon as this is received we will be reporting to the Executive jointly with colleagues in Development Operations about its use for all aspects of the service.

- 3.6 It has to be stressed that the proposed work programme is quite ambitious and will require a good deal of effort from Members and officers to ensure that deadlines are met. Project management and monitoring will be essential and the Council may have to consider making further resources available to keep on track. The Government Office is keen that all Councils in the region now make significant progress on LDF production – particularly those with regeneration programmes to deliver.

4. IMPACT ON CORPORATE PLAN

- 4.1 The LDF is a principal means of implementing the Promoting Prosperity themes of the Corporate Plan (3.3.5 relates to production of the LDF itself but 3.3.2/3/6 on the environment, 3.4.2/3 on biodiversity and climate change and 3.5.3 on housing are all dependent in some way on LDF documents). In addition it will assist delivery of the Council's Regeneration Delivery Plan and Energy Coast Masterplan (1.3.6), of the main regeneration programmes in the Borough (2.2.1 – 11) and will be a part of the drive to improve community consultation and involvement in policy-making (2.1.4).

List of Appendices

Appendix 1: Gantt chart of proposed LDS programme

List of Background Documents:

Proposed Local Development Scheme 2008
Proposed addendum to the Council's Statement of Community Involvement

List of Consultees:

Corporate Team
Tony Pomfret

CHECKLIST FOR DEALING WITH KEY ISSUES

Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	Supports
Impact on Sustainability	Supports
Impact on Rural Proofing	Supports
Health and Safety Implications	None
Impact on Equality and Diversity Issues	None
Children and Young Persons Implications	Supports
Human Rights Act Implications	Fully compliant
Section 151 Officer Comments	Resources have been identified at this current stage. The report indicates there may be a need for additional resources in the future and these would need further approvals'
Monitoring Officer Comments	After Council Adoption the revised LDS will need to be submitted to the Secretary of State for assessment and will come into effect four weeks after submission unless she intervenes beforehand. The addendum to the SCI needs to be submitted to the Secretary of State for information