

3.2 Development Plans in the Planning System

- 3.2.1 The Development Plan under the proposed system would comprise the regional spatial strategy and the Development Plan documents produced by the Borough Council along with the Minerals and Waste Development Plan document produced by the County Council.
- 3.2.2 It is proposed that the LDF should adopt a spatial planning approach. This means that it should not just be concerned with the physical aspects of location and land use but should include economic, social and environmental matters. As such the LDF should take full account of the land-use consequences of other policies and programmes, including the community strategy. It should be a key component in the delivery of the community strategy and provide its long term spatial context.
- 3.2.3 The LDF should provide an agreed vision for the area signed up to by the community and other stakeholders.

Comment

- 3.2.4 ***The proposal to use the LDF to provide the spatial expression of other strategies is not new. The Local Plan has already given spatial expression to such strategies as Chertsey Revitalisation. The difference under the proposed system is that the Council's LDF is being required to give spatial expression to strategies that are 'owned' by other bodies, in particular the community strategy which is 'owned' by the Local Strategic Partnership (LSP). While the Council leads on the LSP there is potential for conflict and confusion if differences in aspirations or priorities between the LSP parties arise in the future.***

3.3 Plan Content

- 3.3.1 The Development Plan documents which Local Planning Authorities must prepare include the following:
- Core Strategy;
 - Site-specific allocations of land;
 - Area action plans (where needed); and
 - Proposals map (with inset maps where necessary)
- 3.3.2 All Development Plan documents must be subject to rigorous procedures of community involvement, consultation and independent examination and adopted after receipt of the Inspector's binding report.
- 3.3.3 The core strategy should set out a vision and strategic objectives for the area, along with a spatial strategy, a number of core policies and a monitoring and implementation framework.

Comment

- 3.3.4 ***The role of the LDF in providing the spatial expression of a range of other plans and strategies is already acknowledged to some extent in the Runnymede Community Strategy where a number of targets relate to proposed LDF policy measures.***
- 3.3.5 Where land is allocated for specific uses (or mix of uses) this should be in a Development Plan document and be founded on a credible and robust assessment of the suitability and availability of the land. Policies relating to the

delivery of the site specific allocations (such as design principles and planning obligations) must also be set out in a Development Plan document.

Comment

- 3.3.6 ***This requirement will make the allocation of sites for specific uses more rigorous as any allocation of land for a specific use will be subject to extensive consultation and independent examination, although difficulties could be experienced if site specific uses are too restrictive.***
- 3.3.7 Area action plans should be used to establish the planning framework for areas where significant change or conservation is needed. This could include areas where growth or regeneration are proposed or where there are conflicting objectives in areas subject to development pressures or there is a need to protect areas sensitive to change.
- 3.3.8 There is a provision for the preparation of Joint Local Development documents by two or more Local Planning Authorities. In such cases each Authority must comply with the same procedures as if the document was prepared separately.
- 3.3.9 Supplementary planning documents (SPDs) may be included in the LDF to supplement the policies and proposals in Development Plan documents. They will not be subject to independent examination and will not form part of the statutory Development Plan. An SPD must be cross-referenced to the relevant Development Plan policy or proposal which it supplements, it must be regularly reviewed and the process by which it was prepared (including conformity with the statement of community involvement) must be made clear.
- 3.3.10 The LDF should contain a limited suite of policies setting out the criteria against which planning applications will be considered. The focus of these should be on topic-related policies, such as residential amenity, protection of landscape, natural resources and protecting vitality and viability. They should be affirmative and focus on achieving the outcomes required to meet the agreed vision. The reasoned justification for policies should be kept to the minimum necessary to provide the context for the policy.

3.4 The Development Plan Process

- 3.4.1 The draft Planning Policy Statement places great emphasis on community and stakeholder involvement throughout the process of preparing and adopting the LDF. This includes the requirement for the Local Authority to produce a statement of community involvement (SCI). The SCI would set out the standards to be achieved by the Local Authority in involving the community in the preparation, alteration and continuing review of all local development documents.
- 3.4.2 The techniques used to engage stakeholders should be tailored to engage the appropriate parts of the community at the stages when their involvement is relevant and of value. Different approaches or different sets of consultees may be used for different types of LDD or for different topics. The SCI should show that the process of involvement can be resourced and managed effectively and how the results will feed into the preparation of LDDs.
- 3.4.3 The SCI will be a Development Plan document and therefore itself subject to extensive community involvement and independent examination in accordance with the accompanying draft regulations.

Comment

- 3.4.4 ***The need to carry out extensive consultation on the SCI and the subsequent requirement to subject that to independent examination (which could involve a Public Inquiry if there are significant objections) will place a significant burden on Local Planning Authorities and introduce significant delay to the process. This is particularly problematic given the***

extremely tight timescale required to conform with the requirements of the transitional regulations. To enable Local Planning Authorities to meet the Government's targets for having up-to-date planning policies this process should be simplified. One possibility would be for the Government to set out more detailed requirements and approve proposed SCIs through the Regional Offices.

- 3.4.5 Within six months of the commencement of the Planning and Compulsory Purchase Act (likely to be June/July 2004) the Local Planning Authority must submit a Local Development Scheme (LDS). The LDS is a public statement of the Planning Authority's three-year programme for the Local Development Framework.
- 3.4.6 Further details of the LDS were contained in the report to Planning Committee on 15 October 2003.

3.5 Preparation of Local Development Documents

- 3.5.1 The draft guidance identifies 4 key stages in the preparation of Development Plan documents, these are:
- Pre-production – survey and evidence gathering leading to the decision to include a development plan document in the LDS.
 - Production – preparation of issues and options and pre-submission consultation followed by submission of the development plan document
 - Examination – independent examination into the soundness of the document; and
 - Adoption – the binding Inspector's report and adoption of the document.
- 3.5.2 The pre-production phase will require the development of a sound base of evidence in the form of physical, environmental, social, demographic and economic data including communications and transport.
- 3.5.3 The Local Planning Authority must comply with EC Directive 2001/42 which requires formal strategic environmental assessment of plans and programmes likely to have significant effects on the environment. For Development Plan documents the sustainability appraisal/strategic environmental assessment of the options should be undertaken at the pre-submission consultation point.
- 3.5.4 Issues and options prepared by the Authority must have regard to, national and regional policy and guidance., Local Plans and strategies, any other LDDs already adopted and the resources likely to be available for implementation.
- 3.5.5 Local Planning Authorities should publish preferred options and invite comments on them over a six week period. They are then required to consider all comments received and have regard to those comments in preparing the submission document.
- 3.5.6 When a Development Plan document is submitted for independent examination it should publish a notice and invite representations to be made within a period of six weeks. Where representations include proposals for alternative site allocations, the authority should publish these and invite representations immediately following the end of the period for making representations on the Development Plan document.

Comment

- 3.5.7 ***The requirement to invite further representations on certain representations made during the consultation period will cause further delay and will result in confusion among consultees.***

3.6 Transitional Arrangements

- 3.6.1 The draft PPS 12 proposes that during the three year period from the commencement of the Act any adopted Local Plans will retain Development Plan status and become 'saved' plans. During the three year period Local Planning Authorities will bring forward LDDs to replace all or part of their 'saved' plans in accordance with their LDS.
- 3.6.2 Where Local Planning Authorities can show that all or part of a 'saved' plan is fully in line with LDDs it will be possible to extend the three year period.
- 3.6.3 During the transitional period the Structure Plan will remain part of the development plan until such time as the Regional Spatial Strategy for the South East is adopted. While the Structure Plan may form part of the development plan any LDDs produced will not have to be in conformity with it.

Comment

- 3.6.4 ***The requirements for producing an SCI, which itself must be consulted on, and then core strategy options along with their environmental implications and consult on those and then to prepare and consult on the proposed core strategy (and consult again on any representations relating to certain land allocations) before preparing for, and participating in, an independent examination will be very time consuming. Since the content, and process of preparation of subsequent LDDs will depend on the content of the Core Strategy and the SCI there will be a significant delay in their preparation. This will then need to be reported to Members and made available to the public.***

The amount of work being prescribed in preparing and consulting on the SCI and LDDs means that it is unlikely to be possible to adopt a sufficient number of LDDs to adequately replace the adopted plan within the transitional period. It would be preferable to change the guidance to reduce the bureaucracy involved in achieving the first LDF. This could be by enabling its production by a reduced number of larger steps. This would help to concentrate public interest rather than the Local Authority having to make repeated attempts to rouse public interest in a prolonged series of consultations.

Given that the transitional period will be the same for all Authorities with adopted plans there is likely to be a huge pressure on the Planning Inspectorate during (and particularly towards the end of) the transitional period to hold a large number of examinations. It is important that this is planned for and that sufficient resources are in place to prevent further delays in the adoption of LDDs.

4. Resource Implications

- 4.1 The increased requirements for community involvement and the short timescale for production of the LDF will put significant pressure on the Council's planning policy resources. This issue was covered in greater detail in the LDF item put before the Planning Committee on 15 October where additional resources were approved.
- 4.2 In light of the proposals in the draft PPS12 it will be necessary to closely monitor progress on the LDF and report back if the programme cannot be achieved with the approved resources.
- 4.3 Once the LDF is in place, the new system of annual review of the LDS and periodic production of new or revised LDDs should create a more constant planning policy workload than the previous system where there were periods of highly intense activity every few years.