



**AGENDA ITEM: 9**

**SUMMARY**

<b>Report for:</b>	<b>Cabinet</b>
<b>Date of meeting:</b>	<b>11 February 2014</b>
<b>PART:</b>	<b>I</b>

<b>Title of report:</b>	<b>Dacorum's Local Planning Framework – Approval of Local Development Scheme (2014-17)</b>
<b>Contact:</b>	Cllr Andrew Williams, Portfolio Holder for Planning and Regeneration; James Doe, Assistant Director – Planning, Development and Regeneration; and Laura Wood, Team Leader, Strategic Planning and Regeneration.
<b>Purpose of report:</b>	To consider an update to the Local Development Scheme, which includes reference to the timing and broad content of future planning policy documents, including the early partial review of the Core Strategy.
<b>Recommendations:</b>	That Cabinet recommend to Council: 1. The adoption of the Local Development Scheme (2014-17) as set out in Appendix 1 to the report ; and 2. The delegation of authority to the Assistant Director - Planning, Development and Regeneration to make any necessary minor and non-consequential changes to the Local Development Scheme prior to final publication.
<b>Corporate objectives:</b>	The Local Development Scheme sets out the programme for key planning strategy document for the Borough, together with their broad content and any transitional arrangements that apply.  Whilst the LDS itself does not impact upon the corporate objectives, the policy documents it refers to support all 5 corporate objectives: <ul style="list-style-type: none"> <li>• <i>Safe and clean environment:</i> e.g. contains policies relating to the design and layout of new development that promote security and safe access.</li> <li>• <i>Community Capacity:</i> e.g. provides a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans, Town / Village Plans etc.</li> <li>• <i>Affordable housing:</i> e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable and the requirements for key sites</li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Dacorum delivers:</i> e.g. provides a clear framework upon which planning decisions can be made.</li> <li>• <i>Regeneration:</i> e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.</li> </ul>
<p><b>Implications:</b></p>	<p><u>Financial:</u></p> <p>The costs associated with the proposed Local Development Scheme have been incorporated within the draft 2014/15 budget.</p> <p>The legal challenge lodged by GUI Ltd to the adopted Core Strategy will have cost implications. However the scale of these is not currently known and will depend upon whether the High Court finds in favour of the Council or the appellants when the case is heard (expected to be Spring 2014). At present, costs associated with defending the challenge can be met within the present budget. This situation will however need to be kept under review.</p> <p><u>Value for Money:</u></p> <p>Every effort has been made to secure external funding – most recently through the New Homes Bonus, to reduce the impact on the Council's budget. Where possible, evidence base work is undertaken jointly with other authorities to ensure cost is optimised (through economies of scale). Collaborative working with landowner consultants will continue to help extend the resources available to the Council and avoid the duplication of site specific technical information.</p> <p><u>Legal:</u></p> <p>No direct effects. There is a legal requirement to have a Local Development Scheme (LDS) in place. The LDS may need to be reviewed depending on the outcome of the Core Strategy legal challenge.</p> <p><u>Human Resources:</u></p> <p>No direct implications. In order to ensure the Local Planning Framework continues to progress to timetable, the Strategic Planning team currently employs a CIL/Infrastructure Officer on a two year secondment, funded through the LDF reserve.</p> <p>The provisional 2014/15 LDF budget includes provision for the recruitment of a further temporary Planning Officer to help ensure work continues to timetable.</p> <p><u>Land:</u></p> <p>No direct implications. Land within the Council's control will however play an important role in ensuring housing and employment targets set out within the Council's planning strategy documents are met.</p> <p><u>Environmental:</u></p> <p>No direct effects, but policies are monitored annually to look at the success of policies aimed at ensuring environmental protection.</p>

<b>Risk Implications</b>	A risk assessment has been carried out as part of the PID / CORVU monitoring process. This has been incorporated within the LDS. The key concern is that the (new) development plan must be sound, and delivers what is needed expeditiously. Risk is reduced by ensuring processes and the evidence base is robust. Sufficient financial resources are essential to achieve that. Certain elements of the process have explicit statutory requirements such as consultation, publication, examination and presentation of the adopted Development Plan Documents. The Annual Monitoring Report reviews the risks inherent in preparing the Local Planning Framework. Monitoring of development is a source of information which, properly used, can assist risk reduction – i.e. it checks whether progress and control of development has been successful and can indicate where change (in policy or process) may be beneficial.
<b>Equality Implications</b>	An Equality Impact Assessment has been carried out as part of the PID / CORVU monitoring process.
<b>Health and Safety Implications</b>	None.
<b>Sustainability Implications</b>	The Core Strategy contains a number of policies aimed at improving the sustainability credentials of new development. These will be reviewed through the early partial review programme outlined in the LDS. The Annual Monitoring Report (AMR) reports on the performance on these policies and this information provides a proxy against which to assess the relative sustainability of development.
<b>Monitoring S.151 Comments</b>	<p><b>Monitoring Officer</b></p> <p>No further comments to add to the report.</p> <p><b>Deputy S.151 Officer</b></p> <p>The costs associated with this LDS are reflected in the proposed Local Development Framework budget, which has been included in the draft 2014/15 budget.</p>
<b>Consultees:</b>	<p>Assistant Director Planning, Development and Regeneration. Group Manager, Strategic Planning and Regeneration.</p> <p>Consultation on the policy document referred to in the LDS itself will be carried out in accordance with the Statement of Community Involvement (SCI), adopted by the Council in June 2006, following independent examination by a Planning Inspector.</p>
<b>Background papers:</b>	<ul style="list-style-type: none"> <li>• Local Development Scheme (May 2009)</li> <li>• Statement of Community Involvement (June 2006)</li> <li>• Adopted Core Strategy (September 2013)</li> <li>• Dacorum Borough Local Plan 1991 – 2011 and related supplementary guidance</li> <li>• Planning and Compulsory Purchase Act 2004.</li> <li>• Planning Act 2008</li> <li>• Town and Country Planning (Local Planning) (England) Regulations 2012.</li> </ul>

<b>Glossary of acronyms and any other abbreviations used in this report:</b>	AMR – Annual Monitoring Report LDS – Local Development Scheme LPF – Local Planning Framework LDF – Local Development Framework ( <i>note: this is the same as the LPF above; the terms are used interchangeably</i> ) SPD – Supplementary Planning Document SPG – Supplementary Planning Guidance GUI – Grand Union Investments Ltd DPP – Development Plan Document SPAR – Strategic Planning and Regeneration
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## **BACKGROUND REPORT**

### **1. Introduction**

- 1.1 The Council, as local planning authority, is required to prepare a Local Development Scheme (LDS) under the provisions of the Planning and Compulsory Purchase Act 2004.
- 1.2 This report seeks Member approval for the new Local Development Scheme (LDS) for the Council. This new LDS will move the current programme forward to 2017, to ensure it covers the adoption of the early partial review. It will replace the current document, which came into effect on 1 May 2009.
- 1.3 The draft LDS 2014-2017 is attached as Appendix 1.

### **2. Role and content of the LDS**

- 2.1 The LDS is a project plan which sets out the timetable for preparation of Local Development Documents (LDDs) that form the Council's Local Planning Framework. Its purposes are to:
  - a) provide a point of reference for the community to find out about the Council's planning policies;
  - b) set out the programme for production of new and/or more detailed planning policies in the form of local development documents; and
  - c) prioritise the preparation of documents in order to foster effective use of resources.
- 2.2 As agreed at Cabinet on 17 December 2013, as part of the report on the 'Annual Monitoring Report and Local Planning Framework Update,' the LDS update includes the following:
  - Transitional arrangements (i.e. the role and weight of policies within the existing and emerging Local Plan);
  - The structure of the Council's replacement Local Plan: this includes the milestones for the early partial review work, continuation of work on the Site Allocations and Development Management DPDs, together with the early partial review;
  - The role of Strategic Environmental Assessment, Sustainability Appraisal and Appropriate Assessment;
  - Mechanisms for monitoring and evaluation;
  - Resources (in terms of people, skills, money and external support); and
  - Risk Assessment.

2.3 The new LDS also includes updated profiles for each Development Plan Document (the documents that will make up the Local Plan), and outlines the structure, timing and content of the early partial review. Chart A of the draft LDS 2014-17 illustrates the revised timetable for production of these documents. This timetable supersedes previous interim timetables agreed by Cabinet.

### **3. The Development Plan**

3.1 The current development plan for the Council is made up of the following:

- Dacorum Borough's Local Planning Framework Core Strategy (adopted September 2013)
- 'Saved' Policies from the Dacorum Borough Local Plan 1991-2011, not superseded by the above.

and

- Hertfordshire Minerals Local Plan Review 2002-2016 (adopted March 2007);
- Hertfordshire Waste Core Strategy and Development Management Policies (adopted November 2012);
- 'Saved' policies from the Hertfordshire Waste Local Plan 1995-2005 (adopted January 1999), not superseded by the above.

3.2 The preparation of Minerals and Waste Plans is the responsibility of Hertfordshire County Council, although the Council is an important consultee.

#### Development Plan Documents:

3.3 The Council began to prepare its planning documents under the 2004 Planning and Compulsory Purchase Act and associated regulations. This means that its 'Local Plan' is currently being prepared as a suite of separate document in the form of a Local Development Framework (LDF), or 'Local Planning Framework' (LPF) as it is now referred.

3.4 The Core Strategy was adopted on 25 September 2013 and is the first of the Development Plan Documents (DPDs) that make up the LPF. In order to complete the full suite of DPDs that make up the full LPF, the Council also intends to prepare the following DPDs:

- Site Allocations (Development Plan Document)
- Development Management (Development Plan Document)
- East Hemel Hempstead Area Action Plan (Development Plan Document)

#### Early Partial Review:

3.5 The LDS 2014-17 also sets out the programme for the early partial review of the Core Strategy. This review will merge the Core Strategy, Site Allocations and Development Management DPDs into a single 'Local Plan' for Dacorum Borough.

3.6 The early partial review will be informed by new and updated technical work. This work has already commenced with the publication of Stage 1 of the comprehensive Green Belt review and will continue in parallel with work on the Site Allocations and Development Management DPDs.

### Neighbourhood Plans

- 3.7 It should be noted that the revised timetable in Chart A of the LDS 2014-17 does not take account of the need for Officers to support production of any additional Neighbourhood Plans that may be progressed by Town or Parish Councils (or Neighbourhood Forums in non-parished areas). The take-up of Neighbourhood Plans will have a time and resource impact on the LDS programme and may need to be reflected in the next timetable review.

#### **4. Supplementary Planning Documents**

- 4.1 In addition to the above documents which comprise the formal development plan for the Council, further planning guidance will be provided through a series of Supplementary Planning Documents (SPDs). Some of these will deal with new issues, whilst others will review and update existing guidance.
- 4.2 Some new SPDs have already been prepared, including the Affordable Housing SPD and Hemel Hempstead Town Centre Masterplan, which were formally adopted alongside the Core Strategy.
- 4.3 While the regulations no longer require SPDs to be programmed, Officers advise that this is helpful in terms of work programming and public understanding of planning. SPDs which are in progress, or required in the short term will therefore be listed for illustrative purposes only.
- 4.4 The guidance provided by SPDs will be supplemented by masterplans for key development sites, such as the Local Allocations (Green Belt housing sites identified in the Core Strategy).

#### **5. Prioritisation of work**

- 5.1 Officers advise that the Council's priority areas in terms of policy planning are as follows:
- Progress work on the partial review of the Core Strategy.
  - Following adoption of the Core Strategy, progress work on outstanding DPDs that comprise the Local Development Framework.
  - Complete necessary supplementary planning documents and other guidance which will enable the development plan to be properly implemented.
- 5.2 These priorities are reflected in the timetable set out in Chart A of the LDS 2014-17.
- 5.3 Whether there should be specific exceptions to this approach will be kept under review by monitoring the Local Development Scheme and through an assessment of the implementation and use of policies through the Annual Monitoring Report (AMR).

#### **6. Duty to Co-Operate and cross-boundary working**

- 6.1 The previous LDS (May 2009) was drawn up to ensure alignment of key milestones for the Core Strategy and East Hemel Hempstead Area Action Plan with those in St Albans Council's Local Development Scheme in order to facilitate joint working. Due to slippage in St Albans' Core Strategy programme, keeping these documents aligned has not been possible, without putting Dacorum's work on hold. However, it is important that key issues relating to the regeneration of Maylands Business Park and future housing development continue to be addressed on a cross-boundary basis. Officers and

Members have been liaising with their counterparts in St Albans District to ensure key issues continue to be discussed. This liaison will continue and is increasingly important given the Core Strategy Inspector's view that greater consideration needs to be given to the role of land to the east of Hemel Hempstead in meeting the housing need within the borough.

- 6.2 Due to uncertainties on the scope and content of the East Hemel Hempstead Area Action Plan, this document is shown on the current LDS timetable as unprogrammed. This position will be kept under review as joint working with adjoining local planning authorities on the early partial review continues.
- 6.3 Joint working on a range of strategic planning issues will continue with all relevant local planning authorities, and other key consultees, throughout the early partial review process.

## **7. Key changes**

- 7.1 The LDS 2014-17 varies in a number of ways from the previous LDS adopted in 2009. In addition to an overall simplification of the document (whilst still ensuring statutory requirements are met), the key changes relate to the timetable in Chart A.
- 7.2 There has been some slippage in the timetable for the Site Allocations DPD, largely as a result of the considerable work involved in preparing both the document itself and the six draft Local Allocations masterplans that will accompany it. The new timetable also reflects the timing of Cabinet and full Council meetings, which are now published, and the desire to avoid consultation over the summer holiday period.
- 7.3 The timing for key milestones for the early partial review remains unchanged from the provisional timetable passed to the Core Strategy Inspector in May 2013 in response to a post-hearing question, and endorsed by Cabinet and full Council on adoption of the Core Strategy in September 2013.
- 7.4 The revised timetable reflects the priorities set out in section 5 above.

## **8. Review process**

- 8.1 The Government requires that the LDS is reviewed every year as part of the Annual Monitoring Report process and any necessary adjustments made to the timetable. A full review of the LDS is due in 2017, to ensure a roll forward of the plan programme.
- 8.2 The LDS 2014-17 has been prepared on the basis that the current legal challenge by Grand Union Investments Ltd to the adopted Core Strategy will not succeed. If the challenge is successful, then the LDS programme will need to be reviewed.
- 8.3 Any changes required to the LDS will be put before Cabinet and full Council for consideration.