

# Item 9

**REPORT TO CABINET**

**14 February 2008**

**REPORT OF DEPUTY CHIEF EXECUTIVE**

**Portfolio: Planning and Development**

## **DRAFT PLANNING POLICY STATEMENT 12: STREAMLINING LOCAL DEVELOPMENT FRAMEWORKS**

### **1 SUMMARY**

- 1.1 The Draft PPS 12 was published in November 2007. This document follows the recommendations of the Planning White Paper from last year. The main areas of change concern improved consultation arrangements, revisions to the process of plan making, and in the way in which Supplementary Planning Documents are produced.
- 1.2 Further changes include emphasising the key role the Core Strategy plays; the need for making progress with Local Development Frameworks; increasing the flexibility local authorities have in producing documents so as to concentrate on the essentials, and repackaging the tests of soundness.

### **2 RECOMMENDATION**

- 2.1 That Cabinet examines and endorses the response to Draft PPS 12.

### **3 DRAFT PLANNING POLICY STATEMENT 12**

#### **Overview**

- 3.1 The Draft PPS 12 focuses upon a number of key areas. These are:
  - Improving consultation arrangements;
  - Formal Representations;
  - Preparation of Documents;
  - Local Authority Strategy Making; and,
  - Infrastructure Planning.

### **Improving consultation arrangements**

- 3.2 The Government wish to change the current arrangement of consulting separately upon Issues & Options and Preferred Options. The proposed new approach is to essentially combine these two stages into one period of community engagement. It is likely that the same amount of time and resources will be required for both approaches. Whilst the simplification of community engagement is to be welcomed, there are underlying concerns that this may not speed up the process given the requirement under the SEA Directive to demonstrate that alternative options have been considered.

#### **It is recommended that Sedgefield Borough Council:**

- **Welcome the proposal to simplify community engagement but query whether the proposed approach will speed up the process in terms of time, physical resources and statutory requirements.**

### **Formal Representation on Plan**

- 3.3 Emerging practice has highlighted that there is no current opportunity to make any amendments to the Submission Document following the receipt of representations. This has resulted in either some Documents being found “unsound” at the Examination or in the Local Authority taking the decision to withdraw the Document. In the latter case, the bureaucratic nature of the existing Regulations means that they have to start the process again. The Government has recognised that this is a major blockage in the process and are proposing the pragmatic step of introducing the opportunity to change the Document before it is formally submitted for Examination. This is to be welcomed.

#### **It is recommended that Sedgefield Borough Council:**

- **Welcome the pragmatic approach to allow changes to Submission Documents prior to the start of the formal Examination.**

### **Preparation of Documents**

- 3.4 The Government has re-affirmed that the timely delivery of documents is essential. It is government policy that Development Plan Documents should be adopted by 2011 to ensure that there is a developable supply of housing land in accordance with PPS 3. Whilst the evidence for this Document can be undertaken now with the production of the Strategic Housing Land Availability Assessment, the preparation of this work will fall to the new authority. If this Public Service Agreement is to be delivered, work on this Document will have to start well in advance of the new authority's inception.

### **Preparation of Supplementary Planning Documents**

- 3.5 Under the current Regulations, Supplementary Planning Documents have to be in conformity with either a Development Plan Document or be linked to a “saved” policy from the Local Plan. The Government propose to extend this arrangement to allow a Supplementary Planning Document to be prepared where it conforms to the Regional Spatial Strategy or national Planning Policy Statement. For those authorities that are subject to Local Government Review, this will be very useful and allow them to prepare Supplementary Planning Documents quickly that will have long-term benefits for their community.

**It is recommended that Sedgefield Borough Council:**

- **Welcome the proposal to allow Supplementary Planning Documents to be prepared in conformity with National and Regional Planning Policy.**

### **Local Authority Strategy Making**

- 3.6 The Local Government and Planning White Papers both identified that plan making is an important tool for Local Authorities in delivering place-making within their communities. The success of spatial planning is dependent on local authorities using plan making as one of their tools to deliver their overall strategies for achieving economic, social and environmental sustainability. Therefore, it is important that the Core Strategy is firmly linked into and in turn influences other strategies of the authority and of the Local Strategic Partnership. There is now greater emphasis on this and on the role of the Core Strategy at the heart of the council's place shaping role. The Government acknowledges that a proper understanding of the relationship between the Local Development Framework and Local Strategic Partnership will go a long way towards ensuring that local authorities produce "sound" plans.

### **Infrastructure Planning**

- 3.7 The Government has emphasised the importance of infrastructure planning and delivery at the outset of plan making. This is supported but in reality it is proving difficult to implement. Some of the gas & electric providers have made it clear in consultation responses that they are not interested in engaging with the Borough Council in the preparation of the Local Development Framework. This will undoubtedly hinder the Government in this regard. The Government needs to encourage the utility providers to engage in the plan making process in order for this to be a success.

## **4 RESOURCE IMPLICATIONS**

- 4.1 There are no resource implications associated with this report.

## **5 CONSULTATIONS**

- 5.1 The consultation period for Draft Planning Policy Statement 12 closes on 19 February 2008.

## **6 OTHER MATERIAL CONSIDERATIONS**

### Links to Corporate Objectives / Values

The review of PPS 12 will have an impact upon how the Council meets the Aims, Objectives and Key Activities identified in the Corporate Plan 2007-2010.

### 6.1 Legal Implications

The implementation of the revision to PPS 12 will have an impact upon the Regulations governing the Planning system.

## 6.2 Risk Management

The revision to PPS 12 will have implications upon the delivery of Documents for both the Borough Council and the new authority. A revised Risk Assessment for the Local Development Scheme will have to be prepared.

## 6.3 Health and Safety Implications

No additional implications have been identified.

## 6.4 Sustainability

Sustainability Appraisal is covered in the main body of the report.

## 6.5 Equality and Diversity

No additional implications have been identified.

## 6.6 Social Inclusion

No additional implications have been identified.

## 6.7 Procurement

There are no procurement issues.

## 7 **OVERVIEW AND SCRUTINY IMPLICATIONS**

7.1 None

## 8 **LIST OF APPENDICES**

None

**Contact Officers:** Chris Myers  
**Telephone No:** (01388) 816166 ext **4328**  
**Email Address:** [cmyers@sedgefield.gov.uk](mailto:cmyers@sedgefield.gov.uk)

### **Ward(s)**

All

Key Decision Validation: This is not a Key Decision as the report relates to a consultation document

### **Background Papers**

HM Government, Draft Planning Policy Statement 12 "Streamlining Local Development Frameworks", November 2007

## Examination by Statutory Officers

	Yes	Not Applicable
1. The report has been examined by the Councils Head of the Paid Service or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The content has been examined by the Councils S.151 Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The content has been examined by the Council's Monitoring Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The report has been approved by Management Team	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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