

Public Document Pack



A G E N D A

Members

Councillor Mark Kiddle-Morris
Councillor Marion Chapman-Allen
Councillor Phillip Duigan
Councillor Adrian Joel
Councillor Keith Martin
Councillor Ian Monson

Councillor David Myers
Councillor Pauline Quadling
Councillor Brian Rose
Councillor Frank Sharpe
Councillor Adrian Stasiak
Councillor Lynda Turner

LDF TASK & FINISH GROUP

MEETING DATE: Wednesday 1 April 2009 at 2.30 pm

VENUE: Anglia Room, Conference Suite, Elizabeth House, Dereham

Page(s)
herewith

1. APOLOGIES

To receive apologies for absence.

2. VICE-CHAIRMAN

To appoint a Vice-Chairman.

3. URGENT BUSINESS

To note whether the Chairman proposes to accept any item of urgent business.

4. DECLARATION OF INTEREST

- (a) At the Chairman's request, the Solicitor will be in attendance to give advice on declaring interests.
- (b) Members are asked at this stage to declare any interests pertinent to the items on this agenda. The Members' Code of Conduct requires that declarations include the nature of the interest and whether it is a personal or prejudicial interest.

Date: Monday, 23 March 2009

	<u>Page(s)</u> <u>herewith</u>
<p>5. <u>TERMS OF REFERENCE</u> To agree Terms of Reference for the Group.</p> <p>Subject to any views from the Overview and Scrutiny Commission, the following is proposed:</p> <p>“To critically examine all aspects of the Local Development Framework, including in-depth appraisal of specific policies within the Framework, as required.”</p>	
<p>6. <u>USE OF SUBMISSION DEVELOPMENT CONTROL POLICIES</u> Report of the Strategic Director (Transformation).</p>	1 - 10
<p>7. <u>LDF WORK PROGRAMME 2008-09</u> Report of the Strategic Director (Transformation).</p>	11 - 15
<p>8. <u>WORK PROGRAMME</u> With reference to item 6 above, to agree a work programme.</p>	
<p>9. <u>NEXT MEETING</u> To agree a date and venue for the next meeting.</p>	

BRECKLAND COUNCIL**Report of the Strategic Director – Transformation to the
LDF Task & Finish Group – 1st April 2009
Development Control Committee – 20th April 2009****Use of Submission Development Control Policies****1. Purpose of Report**

- 1.1 The purpose of this Report is to inform Members of the weight that can be attributed to the policies contained within the Core Strategy and Development Control Policies DPD in the consideration of planning applications, once the DPD has been submitted to the Secretary of State.

2. Recommendations

It is recommended that the Committee:

- 2.1 Note the contents of the Report

Note: In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

3.1 Information, Issues and Options

- 3.1.1 On the 12th March 2009 the Council agreed to submit the Core Strategy and Development Control Policies Development Plan Document. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”* Therefore, once adopted the policies contained within the Core Strategy and Development Control Policies document will be the main consideration in the determination of planning applications.
- 3.1.2 Prior to adoption, guidance contained within Planning Policy Statement 1: *The Planning System General Principles* states that the emerging policies in the Core Strategy and Development Control Policies can be treated as ‘material considerations’. The weight that can be attributed to such policies is dependant on their stage of preparation. Planning Policy Statement 1: *The Planning System General Principles* states that limited weight can be applied to policies in an emerging plan, where the plan is at a consultation stage. However, it states that once a plan has been submitted to the Secretary of State, **considerable** weight can be applied to those policies which have not had soundness representations made against them. Additionally the guidance states that where representations have been made against policies, the nature of those representations will need to be considered when determining the weight that can be applied to the policy.
- 3.1.3 Therefore upon submission of the Core Strategy and Development Control Policies to the Secretary of State, some policies within the document will be afforded considerable weight in the determination of planning applications. However, it must be remembered that these policies will not form part of the development plan for the Breckland District until adoption. Until adoption the development plan for the district consists of the saved policies of the Adopted Breckland Local Plan (1999) and the Regional Spatial Strategy for the East of England.
- 3.1.4 As reported to Council on the 12th March 2009, a number of soundness objections were made against the Core Strategy and Development Control Policies. However,

these soundness objections were not made against every policy. The Core Policies and the Spatial Strategy received a large number of soundness objections which fundamentally challenged the principle of policies. It is therefore considered that little weight can be applied to these policies prior to the plan being found sound as a result of Examination in Public. With respect to the Development Control Policies far fewer representations were made that challenged the soundness of the policies. Therefore some of the Development Control Policies can be given weight in the consideration of planning applications following submission. The following parts of this report outline those policies which received either no representations or where the nature of the representations received did not fundamentally challenge the soundness of the policy. For information, the policies in question are reproduced in Appendix A of this report.

Policy DC1 – Amenity

- 3.1.5 The purpose of this policy is to ensure new development does not adversely affect the amenity of residents.
- 3.1.6 Three representations claimed this policy was unsound. However, these representations did not challenge the actual criteria set out in the policy. Therefore regard can be had to the criteria a-f of this policy in the determination of planning applications following submission.

Policy DC3 – Replacement Dwellings and Extensions in the Countryside

- 3.1.7 This Policy aims to control the replacement of dwellings and extensions to dwellings in the countryside to ensure that the availability of smaller properties in the rural areas is protected.
- 3.1.8 The Policy only received one soundness objection from English Heritage. The objection did not challenge the content of the policy but raised concern that the policy failed to identify the criteria for the replacement of historic buildings. However, the purpose of this policy is not to set out wide ranging criteria for the replacement of all buildings. The policy is only intended for the replacement and extension of dwellings. For historic dwellings Policy DC17 which outlines the Council's policy for the replacement of historic buildings will also apply (see paragraphs 3.1.19 and 3.1.20 of this report). Therefore, as the representation does not challenge what the policy seeks to achieve, the policy can be used in the determination of the replacement and extension of non-historic dwellings.

Policy DC9 – Proposals for Town Centre Uses

- 3.1.9 The policy sets out the Council's proposals for dealing with applications for development in town centres.
- 3.1.10 Two representations were made against this policy both of which supported the policy. Therefore considerable weight can be attributed to the Policy as a material consideration in the determination of planning applications following submission.

Policy DC10 – Telecommunications

- 3.1.11 The policy sets out the conditions where new telecommunications apparatus will be permitted.
- 3.1.12 No representations were made against the policy. Therefore considerable weight can be attributed to the Policy as a material consideration in the determination of planning applications for telecommunications apparatus following submission.

Policy DC11 - Open Space

- 3.1.13 The policy seeks to protect publically accessible open space and provide new open space through developer contributions.
- 3.1.14 Although a number of representations raised soundness objections to the policy, none objected to the principle of protecting existing open space and requiring developer contributions for new open space. Additionally, none of the representations argued for a lower standard than the one proposed in the policy. Objections were raised against the proposed management arrangements and the

requirement for mobile homes to contribute to open space. Sport England raised objections based on the lack of evidence that supports the proposed standard. However, they were concerned that the standard was too low, not too high. Your officers are currently in discussions with Sport England with a view to reaching a Statement of Common Ground so that this policy can be given weight in the consideration of planning applications prior to adoption.

Policy DC12 – Trees and Landscape

3.1.15 The policy sets out the Council's proposals for the protection and enhancement of the District's natural features.

3.1.16 Two representations were received against the Policy. One supported the Policy and the other questioned whether the Policy was flexible enough. Given the nature of the objection it is regarded that weight can be attributed to the policy as a material consideration in the determination of planning applications following submission.

Policy DC15 – Renewable Energy

3.1.17 The policy sets out the consideration to be applied in the determination of proposals for commercial scale renewable energy developments.

3.1.18 A number of representations were made against the policy, principally regarding the flexibility of the policy. However, as no representations fundamentally challenged the principle of the policy, weight can be given to the policy in the determination of planning applications following submission.

Policy DC17 – Historic Environment

3.1.19 The Policy seeks to protect and enhance the historic environment of the District.

3.1.20 English Heritage supported the policy, however, two representations claim the policy is unsound. One objection is based on the delineation of the Boudicca site in Thetford which does not relate to the principle of the policy. The other objection is based on the fact that the policy fails to realise that some sites of archaeological interest are more important than others. However, given the nature of the objection it is regarded that weight can be attributed to the policy as a material consideration in the determination of planning applications following submission.

Policy DC19 – Community Facilities , Recreation and Leisure

3.1.21 The policy sets out provisions for the protection and enhancement of community, recreation and leisure facilities.

3.1.22 All representations made against the policy supported the principle of the policy. Therefore considerable weight can be attributed to the Policy as a material consideration in the determination of planning applications following submission.

Policy DC23 - Conversion of Buildings in the Countryside

3.1.23 The policy sets out the criteria which will be applied to the assessment of proposals for the conversion of buildings in the countryside.

3.1.24 One representation was made against the Policy which suggested that it was not in conformity with Planning Policy Statement 7. However, the representation did not explain why this was case and related more to considerations of amenity and a site specific concerns relating to a site in Larling. Therefore, given the nature of the objection it is regarded that weight can be attributed to the policy as a material consideration in the determination of planning applications following submission.

3.2 Options

3.2.1 There are no options as the report is for information only

3.3 Reasons for Recommendation(s)

3.3.1 To inform members of the committee the weight that can be attributed to some of the submitted policies of the Core Strategy and Development Control Policies in the determination of planning applications.

4. Risk and Financial Implications

4.1 Risk

4.1.1 I have completed the Risk Management questionnaire and can confirm that risk has been given careful consideration, and that there are no significant risks identified associated with the information in this report.

4.2 Financial

4.2.1 This report has no direct financial implications.

5. Legal Implications

5.1 This report has no direct legal implications

6. Other Implications

- a) Equalities: - None
- b) Section 17, Crime & Disorder Act 1998: None
- c) Section 40, Natural Environment & Rural Communities Act 2006: None
- d) Human Resources: None
- e) Human Rights: None
- f) Other: None

7. Alignment to Council Priorities

7.1 The report is relevant to the following Council priorities:

- Building Safer and Stronger Communities
- Environment
- Prosperous Communities

8. Ward/Community Affected

8.1 Entire Breckland District

Background Papers

Breckland Core Strategy and Development Control Policies submission document

Lead Contact Officer:

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Key Decision Status (Executive Decisions only):

This is not a key decision.

Appendices attached to this report:

Appendix A – List of DC Policies Mentioned in Report

Appendix A: List of DC Policies Mentioned in Report

Policy DC 1

Protection of Amenity

For all new development consideration will need to be given to the impact upon amenity. Development will not be permitted where there are unacceptable effects on the amenities of the area or the residential amenity of neighbouring occupants, or future occupants of the development site. When considering the impact of the development in terms of the amenities of the area and residential amenity, regard will be had to the following issues;

- a. Overlooking and/or privacy loss
- b. Dominance or overshadowing
- c. Odour, noise, vibration or other forms of disturbance
- d. Other forms of pollution (including contaminated land, light pollution or the emission of particulates).
- e. Important features or characteristics of the area; or,
- f. Quality of the landscape or townscape.

Policy DC 3

Replacement Dwellings and Extensions in the Countryside

The replacement of existing dwellings in the countryside will only be permitted where:

- a. The scale of the replacement is not disproportionate to the original dwelling; and
- b. Evidence is provided that the use of the dwelling has not been abandoned; and
- c. The replacement dwelling is located within the existing curtilage, unless it can be demonstrated that an alternative location would be visually less prominent; and
- d. The size and design of the replacement is appropriate to the landscape character of the location; and
- e. There is no increase in the total number of units than the existing.

Extensions to existing dwellings in the countryside will be permitted where the extension does not result in a dwelling that is disproportionate to the scale of the original dwelling and the size and design of the extension are appropriate to the landscape character of the location

Policy DC 9

Proposals for Town Centre Uses

Primary Frontages

Proposals for retail development will be permitted within the primary frontage areas of the town centres. The change of use of ground floor Class A1 units to other Class A uses of the Use Classes Order ⁽⁶⁾ will only be permitted where:

- a. the proportion of other Class A units does not exceed 25% of the total number of units in the frontage;
- b. the number, frontage lengths and distribution of other Class A uses in the frontage does not result in any one over-concentration of non-retail uses detracting from the retail character;
- c. the proposed use will result in regular pedestrian footfall avoiding relative inactivity in the shopping frontage;
- d. the proposal does not prejudice the effective use of upper floors;
- e. the proposal retains or provides a shop front with windows and entrances which relate well to the design of the host building and to the street-scene and its setting.

Secondary Frontages

Proposals for town centre uses at ground floor level within classes A, B1(a), C1, D1 and D2 of Use Classes Order ⁽⁷⁾ will be permitted within the secondary frontage areas of town centres where the proposal, either cumulatively or individually, is considered to have no adverse impact on the vitality and viability of the area.

The change of use of ground floor premises to other uses, including residential, will only be permitted where:

- f. the proportion of non A, B1(a), C1, D1 and D2 units does not exceed 50% of the total frontage;
- g. the proposal does not prejudice the effective use of upper floors;
- h. the proposal would not irreversibly preclude the option to return the property or site to a retail or town centre use;
- i. the proposal retains or provides a shop front with windows and entrances which relate well to the design of the host building and to the street-scene and its setting.

Proposals for residential, leisure and office uses above premises in town centres will be supported in order to help increase the vitality of these areas throughout the day. Development proposals in the defined town centres will also be supported where they represent the best opportunity to bring forward sites identified for redevelopment and improve the town centre environment. Proposals should demonstrate how the outcomes of other studies (such as Town Centre Health Checks and other town centre strategies) have been considered and can maximise benefits to the vitality, viability and environmental quality of town centres in the district.

Policy DC 10

Telecommunications

Planning Applications

When considering planning applications for telecommunications development, regard will be had to the benefits of an effective telecommunications network and the individual nature of telecommunications technology. In addition planning permission will only be granted where in cases where evidence is submitted which demonstrates, to the Council's satisfaction, that:

- i. the possibility of mast or site sharing has been fully explored;
- ii. there are no alternative and preferable sites available in the locality that could reasonable accommodate the proposed telecommunications development, including existing antennae, buildings or structures;
- iii. the proposal is in conformity with the latest national guidelines on radiation protection. This will include consideration for both the individual and cumulative effects of the apparatus having regard to any other significant Electro-Magnetic Field generators in the locality, and;
- iv. there are no significant detrimental impacts upon the residential amenity of neighbours, the character and appearance of the locality, the safe and satisfactory functioning of the highway network or any other objective of the plan.

Prior Approval

Where a code system operator intends to install equipment under permitted development rights that are subject to the prior approval procedure, prior approval by the Planning Authority where there is considered to be an material impact in terms of the equipments siting or appearance. Details of the apparatus will be required in respect of criteria (i) to (iv) as listed above.

Policy DC 11

Open Space

Existing Open Space, Sport and Recreational Facilities

Development that would result in the loss of existing sport, recreational or amenity open space will only be permitted if:

- a. it can be demonstrated (through a local assessment) that there is an excess of recreational or amenity open space in the settlement and the proposed loss will not result in a current or likely shortfall during the plan period; and
- b. recreational facilities within the open space will be enhanced by the proposed development on an appropriate portion of the open space; or
- c. the community would gain greater benefit from the developer providing a suitable alternative recreational or amenity open space in an equally accessible and convenient location. The development of existing open space with an ecological value (a known biodiversity or nature conservation interest) will not be permitted.

Outdoor Playing Space Contributions

All new residential development is expected to provide a contribution towards Outdoor Playing Space equivalent to 2.4 hectares per 1,000 population. For developments of 25 dwellings or more, or on sites of 0.8ha or more, open space should be provided on site, with priority given to children's play space. For developments of fewer than 25 dwellings off site contributions will be required. The 2.4 hectare per 1,000 population standard equates to 24m² of outdoor playing space per person. The 24m² is broken down to 16m² of outdoor sport area and 8m² of children's play space. Outdoor playing space will be required on site at the following levels:

On sites of 25 dwellings and above - Minimum of 1 Local Area for Play (LAP)

On sites of 50 dwellings and above - Minimum of 2 LAPs

On sites of 80 dwellings and above - Minimum of 1 Local Equipped Area for Play (LEAP)

On sites of 200 dwellings and above - Minimum of 2 LEAPs + Outdoor Sport Area

On sites of 400 dwellings and above - Minimum of 1 NEAP + Outdoor Sport Area

Where it is not possible to make on-site provision of outdoor playing space, financial contributions for improvements to local facilities will be required. The level of contribution will be calculated in accordance with the criteria set out in Appendix E 'Open Space Contributions'. For developments of less than 200 dwellings financial contributions for the off-site provision of outdoor sports will be required. For developments of less than 25 dwellings financial contributions for the off-site provision of children's play areas will be required.

In addition to the on-site and off-site contributions, a contribution will be required for 10 years maintenance of the facility. The contribution will be proportional to the type of facility provided and will be calculated in accordance with the criteria set out in the Breckland Open Space Assessment which will be reviewed periodically.

Policy DC 12

Trees and Landscape

Any development that would result in the loss of, or the deterioration in the quality of an important natural feature(s), including protected trees and hedgerows will not normally be permitted. In exceptional circumstances where the benefit of development is considered to outweigh the benefit of preserving natural features, development will be permitted subject to adequate compensatory provision being made. The retention of trees, hedgerows and other natural features *in situ* will always be preferable. Where the loss of such features is unavoidable, replacement provision should be of a commensurate value to that which is lost.

Appropriate landscaping schemes to mitigate against the landscape impact of and complement the design of new development will be required, where appropriate. Conditions and/or planning obligations will be used to secure landscaping schemes and the replacement of trees, hedgerows or other natural features or their protection during the course of development. Where necessary maintenance payments for new landscaping may be sought via planning obligation.

Policy DC 15

Renewable Energy

Proposals for renewable energy development ⁽¹⁰⁾, will be supported in principle. Permission will be granted for these developments unless it, or any related infrastructure such as power lines or access roads etc, has a significant detrimental impact or a cumulative detrimental impact upon:

- a. Sites of international, national or local nature and heritage conservation importance;
- b. Local landscape or townscape;
- c. Local amenity

Where development is permitted, mitigation measures will be required as appropriate to minimise any environmental impacts, such measures will be secured via condition or legal agreement. All development proposals for a renewable energy generation scheme should, as far as is practicable, provide for the site to be reinstated to its former condition should the development cease to be operational

Policy DC 17

Historic Environment

Any development that will affect a Listed Building or a Conservation Area will be subject to comprehensive assessment. New development will be expected to preserve and enhance the character, appearance and setting of Conservation Areas, Scheduled Ancient Monuments, Historic Parks and Gardens and other areas of historic interest. Where a proposed development will affect the character or setting of a Listed Building, particular regard will need to be given to the protection, preservation and enhancement of any features of historic or architectural interest. Sites of archaeological interest and their settings will be protected, enhanced and preserved; development which has an unacceptable impact upon a site of archaeological interest will not be permitted. Where it is considered appropriate in cases where development coincides with the location of a known or suspected archaeological interest an archaeological field evaluation will be required. Where the benefits of a particular development are considered to outweigh the importance of retaining archaeological remains *in situ* satisfactory excavation and recording of remains will be required before development is begun.

Replacement of dwellings

In the case of traditional dwellings⁽¹¹⁾ which positively contribute to the character of Breckland, replacement will only be acceptable where the application is accompanied by a Design & Access Statement which includes a structural survey that demonstrates that the demolition is necessary and that there is no alternative and viable solution of renovation to provide an acceptable standard of accommodation.

Policy DC 19

Community facilities, recreation and leisure

New community facilities, recreation and leisure

Sustainable proposals for community, recreation and leisure facilities will be supported within the Key Centre for Development and Change, the Market Towns and Local Service Centre villages in order to support improved accessibility to services, support the role of the centre in the development hierarchy and reduce rural isolation. Proposals for community, recreation and leisure facilities in other rural settlements will be permitted where it can be demonstrated that it will provide for an identified local need and is of community benefit, the settlement is isolated from another similar facility and the development represents the most sustainable option to meet the identified need.

Protection of key services and facilities

Key local services and facilities will be protected from proposals for development that would result in the loss of that key service or facility. Proposals for the redevelopment of a key local facility will not be permitted unless:

- a. adequate alternative provision is available within or adjacent to the settlement or will be provided as part of the development process;
- b. all reasonable efforts have been made to preserve the facility or service but the service is no longer considered viable;
- c. the service or facility is in an inherently unsustainable location and the reuse of the site would be a more sustainable solution than the retention of the service or facility.

In Local Service Centre villages, development will not be permitted where this would result in the total loss of a key service or facility that would undermine the strategic identification of that village as a Local Service Centre.

Policy DC 23

Conversion of Buildings in the Countryside

The sustainable re-use of appropriately located and constructed buildings in the countryside for economic purposes will be supported. The re-use of existing buildings in the countryside for residential purposes will only be permitted where the commercial use of the building has been shown to be unviable. For the conversion of all buildings in the countryside regard will be had to the following criteria:

- a. The impact of the development on the character and appearance of the landscape and the quality of design. Development will not be permitted where it does not take the opportunity to make a positive contribution to the appearance of the locality.
- b. The sustainability of the location. In the case of conversions for economic purposes this will mean the relationship of the building to other employment areas and its accessibility from residential areas. In the case of residential conversions it will comprise the accessibility of the building to key services and facilities.
- c. Access to the highway and the ability of the highway network to accommodate the demands resulting from the proposed development.
- d. The suitability of the building for conversion, in particular the building should be substantially intact and should be able to be converted without significant extension or rebuilding. In addition, in the case of residential conversions the building proposed to be converted should be of value to the landscape of the district. The residential re-use of modern agricultural or industrial buildings of no aesthetic value, regardless of their locations, will not be considered appropriate.

BRECKLAND COUNCIL**Report of the Strategic Director - Transformation to the
LDF Task & Finish Group – 1st April 2009****Breckland LDF Work Programme 2009/10****1. Purpose of Report**

- 1.1 The purpose of this report is to provide Members with an outline of the work which the Council's LDF team will be undertaking during 2009/10 and the anticipated requirements to bring material to this Group as part of the preparation of LDF documents.

2. Recommendations

It is recommended that the Group note the contents of the report for their information.

Note: In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

3. Information, Issues and Options**3.1 Background**

3.1.1 Local Planning Authorities are required to prepare project plans known as Local Development Schemes which set out the timetable for the preparation of the Local Development Framework (LDF) together with details around the documents that will form the LDF. Breckland published its first Local Development Scheme (LDS) in November 2004 and this has been revised in 2005, 2007 and 2008. The latest LDS was signed off in December 2008 and contains milestones for the production of each of the documents the Authority is preparing. Breckland is monitored for its progress against the milestones contained in the LDS as part of the Planning & Housing Delivery Grant.

3.1.2 The overall timetable from the adopted Local Development Scheme (LDS) is provided at Appendix A. Members may also wish to note that the LDS is available to view on-line at the Council's website.

3.2 Issues

3.2.1 The adopted LDS prepares the broad milestones for LDF document production over the next 3 years (to April 2012). During this period the Authority should have adopted its Core Strategy and Development Control Policies document, The Site Specifics Document and the Area Action Plans for Thetford and Attleborough & Snetterton. The authority will also have produced a detailed Supplementary Planning Document on Developer Obligations setting out clearly the levels and mechanisms of contributions for infrastructure set out in LDF policies. The LDS is not a detailed project plan and this report seeks to provide some additional detail on the work which the LDF team will be undertaking during the financial year 2009/10.

3.2.2 The adopted LDS has been prepared to reflect the new Government guidelines whilst reflecting the spatial planning agenda for Breckland. The Core Strategy remains the central document for the Breckland LDF and a number of documents can only be developed and finalised once the Core Strategy is in place. Delays around the Core Strategy will have consequences for the

3.2.3 The main work items for the LDF team are presented below and key dates for a need to report to this Group have been proposed:

- **Core Strategy and Development Control Policies document** – the document will be submitted for examination at the end of March. It is anticipated that the Examination will be held in July, with a pre-Examination meeting in May. The Inspectors Report should be received by the authority in October. These dates are dependent on confirmation from the Planning Inspectorate. Subject to the Inspector recommending that the document is sound, the Council will be invited to adopt the document. It is proposed that the Inspectors Report is considered by this Group in **December 2009**.
- **Site Specifics document** – This document has already been the subject of two rounds of public consultation (Summer 2008 and February/March 2009). The next milestone is consultation on 'preferred sites'. The selection of sites will use the criteria that has been consulted on together with additional evidence, including inputs from this Group. The Local Development Scheme indicates that consultation on preferred sites will be undertaken in September/October 2009. Your Officers advise that this milestone is at risk. This partly due to the volume of sites that need to be assessed (there are some 850 sites to consider). However, the greater risk exists from uncertainties around the scale of staff resource needed between April and July on the Core Strategy examination and the need to receive certainty from the Government Inspectors Report. It may be more realistic to work towards consulting on preferred sites towards the end of the year and early into 2010 to enable the following to occur: (1) A series of meetings of this Group (**October & November 2009**) to consider the next draft of the site specifics document; and (2) The authority needs to take into account the Inspectors Report on the Core Strategy when finalising the preferred sites. The site specifics document presents an intense piece of work for this Group which may require regular meetings over a focussed period.
- **Thetford Area Action Plan** – The timetable during 2009/10 on the Thetford Area Action Plan (TAAP) is to respond to the comments received from the recent Preferred Options consultation and prepare a final document by February 2010 which will be published for 6 weeks prior to be submitting for Examination. The immediate preparation of the TAAP is managed under the auspices of Moving Thetford Forward. However, as a document of the local planning authority it will need to be considered and submitted by Breckland Council. It is proposed that the final draft version of the document is presented to this Group in **November 2009**, though this is subject to the outcome of the current TAAP consultation, the CS inspector conclusions for Thetford, and the finalisation and resourcing of a number of Thetford evidence base studies. As such, should one or more of these 'risks' materialise, then it is likely to be presented to the Group slightly later, in probably **January or February 2010**.
- **Attleborough and Snetterton Heath Area Action Plan** – The preparation of the Attleborough and Snetterton Heath Area Action Plan (ASHAAP) depends on the outcomes from the Inspectors Report on the Core Strategy. As Members will be aware the scale and location of growth in Attleborough presented in the Core Strategy has received significant comment and alternatives have been presented. Until a Government Inspector has adjudicated on the matters, investing considerable effort in writing an Action Plan in advance of the Inspectors Report could be unproductive. However, work on Attleborough should not stop and further evidence is needed particularly on water infrastructure and energy solutions. Work is already underway on a Sustainability Appraisal Scoping Report, a detailed Water Cycle Study for the District and this will be completed by December. Additionally a detailed A11 Energy Study (stage 2) will also be prepared in 2009, focussing on energy solutions for Attleborough and Thetford in particular. Furthermore, additional work on transport and green infrastructure in Attleborough also needs to be undertaken in 2009/10. Dependent on the Inspectors Report into the Core Strategy and available resources it is proposed that the Group be presented with evidence base findings on water and energy in **January 2010** and shortly thereafter by an initial draft Issues and Options Area Action Plan for Attleborough in **February 2010**.

- **Review of the Regional Spatial Strategy 2031** – Given the role of the Regional Spatial Strategy to distribute District housing and job targets and to set higher order policy on issues such as affordable housing, energy and biodiversity, it will be incumbent on this Group to provide technical advice to the Council's Cabinet in formulating the Council's position on the contents of the proposed RSS review to 2031. The timetable for the RSS review is already in flux but best estimates are that this Group may need to meet to consider the draft RSS Review in **September 2009** and again in **early 2010**.
 - **Monitoring** – The authority is required to prepare an Annual Monitoring Report, based on the most recent financial year, which examines how policies are performing and delivering (i.e. housing completions). The AMR needs to be submitted by end of December and presents an opportunity for the authority to formally consider whether the timetable for preparing the LDF needs to be amended and whether a policy, policies or an entire document needs to be reviewed in light of the evidence presented in the AMR. It is proposed that this Group considers the AMR for 2008/09 at a meeting in **September 2009** and that this meeting considers potential amendments to the Local Development Scheme arising from AMR work.
- 3.2.4 This report aims to outline the main items in the work programme for the Council's planning policy team in 2009/10 and how and when the delivery of that work can be supported by the involvement of this Group. In addition to the delivery of the LDF, it should be borne in mind that the Council's planning policy team is also engaged in other Corporate activities (i.e. Sustainable Community Strategy) and the Development Control process and there may be occasions where this generates work for this group. As well as the items highlighted in the Report, the Group may also have issues or items which it wants considered through this forum for which Officers may need to prepare reports or co-ordinate organisations to attend. Additionally, this Group will also be asked to formalise responses to draft National Planning Policy Statements and local planning policies in adjoining authorities where there is an effect on Breckland communities.
- 3.2.8 Ultimately the year 2009/10 will be dominated by your Officers preparing for and representing the Council at the Examination in Public into the Core Strategy and Development Control Policies document. At present there is considerable uncertainty as to what additional work will be generated by the Inspector and what capacity will be available between now and the start of the Examination to drive forward other work areas. This is reflected in the suggested dates for this Group presented above, the effect of which is that the Group's work programme will be light over the next 4-5months before entering an intense period of work from October 2009 through to March 2010.
- 3.2.9 The work programme and timetable presented in this Report is dependent on the Examination into the Core Strategy taking place from the end of June and the Inspectors Report being available in October. As members will recall the delivery of the Local Development Scheme (the overall programme) will be affected by availability of resources, in particular suitably qualified staff and capacity to commission and prepare evidence base materials. These risks are already identified and should they materialise, then Members will be informed of amendments to the overall LDF programme as part of the Annual Monitoring Report process.
- 3.3 Options
- 3.3.1 Report is for information only and no options are presented.
- 3.4 Reasons for Recommendation(s)
- 3.4.1 To ensure Members' are kept informed of the programme of work for the Local Development Framework.

4. Risk and Financial Implications

4.1 Risk

4.1.1 I have completed the Risk Management questionnaire and can confirm that risk has been given careful consideration, and that there are no significant risks identified associated with the information in this report.

4.2 Financial

4.2.1 This report has no financial implications.

5. Legal Implications

5.1 Statutory Instrument 2008 No. 1371 Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 sets out the procedures to which the LDF process must adhere.

6. Other Implications

- a) Equalities: None – Matters in this report have no equalities impact.
- b) Section 17, Crime & Disorder Act 1998: None
- c) Section 40, Natural Environment & Rural Communities Act 2006: None
- d) Human Resources: None
- e) Human Rights: None
- f) Other: None

7. Alignment to Council Priorities

7.1 PPS12 deals with the Local Development Framework, including arrangements for consultation and participation. The statement will need to be taken into account throughout the production of the Local Development Framework and its components and will be relevant to the following Council priorities:

- Building Safer and Stronger Communities
- Environment
- Prosperous Communities
- Your Council, Your Services

8. Ward/Community Affected

8.1 All Wards and Parishes within Breckland will be indirectly affected due to the nature of the Local Development Framework and the associated consultation arrangements surrounding its future progress.

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Key Decision Status (Executive Decisions only):

This is not a Key Decision as indicated on the Forward Plan.

Appendices attached to this report:

Adopted Breckland Local Development Scheme (December 2008)

