

BRECKLAND COUNCIL

Report of the Strategic Director – Transformation to the OVERVIEW AND SCRUTINY PANEL 1 – 20th August 2008

Guidelines on Submitting the Local Development Framework Core Strategy

1. Purpose of Report

- 1.1 The purpose of the Report is to advise Members on the requirements surrounding the submission of a Development Plan Document. This is the next stage for the Core Strategy and Development Control Policies document.

2. Recommendations

- It is recommended that the Overview & Scrutiny Panel:
- 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. Information, Issues and Options

3.1 Background

- 3.1.1 As Members are aware Breckland Council is focussing on its Core Strategy and Development Control Policies document. This is in line with the latest government policy which emphasises the importance of having a sound Core Strategy in place from which other Development Plan Documents can follow.
- 3.1.2 Breckland has made considerable progress in developing its Core Strategy and Development Control policies. This has involved significant consultation with statutory consultees and stakeholders to identify issues and ensure that the strategy and policies are deliverable and workable. The final public scrutiny of Breckland's approach was the Preferred Options consultation carried out between January and March 2008. The publication of the Preferred Options followed considerable debate at both Panel 1 and Cabinet in Autumn 2007.
- 3.1.3 The next step for Breckland Council in producing its Core Strategy and Development Control Policies document is the submission to the Secretary of State. This process is effectively Breckland Council's final opportunity to shape the document before it is handed over to a Government Inspector and subjected to a Public Examination. Preparing the submission document should only involve minor amendments to the Preferred Options and inserting greater detail about how the policies will be implemented. It is also a time to ensure that the document is justified, effective and in-line with national policy as far as is practicable in the Breckland context.

3.2 Issues

- 3.2.1 The key issue at submission is ensuring that the document is sound and in particular that the authority has responded to the comments received at the Preferred Options consultation stage. Inspectors will be testing the quality of evidence and content in the Core Strategy. The starting point for the examination is the presumption that the authority has submitted what it considers to be a sound plan. To be "sound" a Core Strategy should be justified, effective and consistent with national policy. The concepts of justification and effectiveness are expanded in Appendix A.

- 3.2.2 The imminent work programme of Panel 1 will be concerned with assessing the comments that have been received on the current draft of the Core Strategy. In light of these comments there is scope to make minor amendments to enhance the soundness of the spatial strategy as drafted. There is scope to consider reintroducing an alternative option that was presented when preparing the Preferred Options in 2007. However, there is not the scope to introduce totally new options that have not previously been tested or consulted on. The guidelines at this stage are to fine-tune the Core Strategy in light of the comments received during consultation and recommendations from emerging evidence base.
- 3.2.3 When Breckland publishes its submission Core Strategy in November it will do so under the new Regulations which accompanied the revised PPS12 as previously reported to this Panel. Under new Regulation 27 the submission core strategy will be published and it will be available for comment for a period of 6 weeks. Representations will be sought from key stakeholders on the document (listed at Appendix B). The publication is not an additional stage of public participation or consultation. The purpose of the publication is to gather representations on the soundness of the development plan document including a conformity statement from the Regional Planning Body.
- 3.2.4 The comments that are received will be handed in to the Secretary of State to examine as part of the submission material. If there are grave soundness comments at this stage there is an opportunity for the Council to withdraw its document and go back to an earlier stage of plan production.

3.3 Options

- 3.3.1 Members are invited to note the contents of the report as an introduction to the next phase of the work programme for this Panel over the forthcoming months.

3.4 Reasons for Recommendation(s)

- 3.4.1 The next few months will be a very busy and important time for Panel 1 as it scrutinises the progression of the previous draft of the Core Strategy and Development Control policies document into the final version to be submitted to the Secretary of State and public examination. The preparation of the submission document will be Breckland Council's final opportunity to shape the planning strategy and policies for the area before the control is handed over to the Government Inspector.
- 3.4.2 This report sets out the guidelines that the Panel 1, Cabinet and Full Council will have to operate within to ensure that the final submission version is sound. The report is for information only.

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. The Regulations which accompany the preparation of a Development Plan Document are to be adhered to. Failure to consider the Regulations and proceed in accordance with them could result in either

the document being found unsound or Judicial Review.

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 timely production of a sound Core Strategy and Development Control Policies document as part of the Local Development Framework is a priority and will be relevant to the following Council priorities:

- Building Safer and Stronger Communities
- Environment
- Prosperous Communities

8. Ward/Community Affected

8.1 The Local Development Framework will affect all Wards in Breckland.

Background Papers

Planning Policy Statement 12: Local Spatial Planning (2008) - Panel 1, 15th July 2008

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Key Decision Status (Executive Decisions only):

This is not a key decision.

Appendices attached to this report:

Appendix A Extracts from PPS12 on 'Justification' and 'Effectiveness'

Appendix B Consultation bodies for the Local Development Framework