

**NORTH LINCOLNSHIRE COUNCIL**

**PLANNING COMMITTEE**

**PLANNING POLICY STATEMENT (PPS) 12: LOCAL SPATIAL PLANNING**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To inform Members about the Government's policy on preparing Local Development Frameworks set out in Planning Policy Statement (PPS) 12: Local Spatial Planning, issued on 5 June 2008
- 1.2 The key points of this report:
- Stronger emphasis on the Core Strategy being the crucial document at the heart of the Local Development Framework and have life span of 15 years from the date of adoption
  - The Core Strategy can allocate strategic sites should the need arise as well as have a greater emphasis on the provision of infrastructure to support development.
  - Streamlined consultation procedures by removing the Preferred Options stage from the pre-submission consultation stage.
  - The Tests of Soundness used by Planning Inspectors to examine Development Plan Documents have been simplified to three more easily understandable tests.

**2. BACKGROUND INFORMATION**

- 2.1 Planning Policy Statement (PPS) 12: Local Spatial Planning is the result of a consultation exercise undertaken by the Department for Communities and Local Government (DCLG) in between November 2007 and February 2008 entitled Streamlining Local Development Frameworks. This document set out a number changes to the regulations governing Local Development Framework (LDF) preparation and the existing PPS12: Local Development Framework , which was issued in September 2004.
- 2.2 In PPS12, spatial planning is set within the context of the local authority's role as a place shaper, working in partnerships with local

public, private and community sectors to meet the needs and ambitions of the local area in a strategic way. The planning system should be aligned with the priorities set out by these Local Strategic Partnerships (LSPs) in Sustainable Community Strategies (SCSs) and Local Area Agreements (LAAs) as well as regional and national planning policy.

- 2.3 The new PPS12 attempts to streamline the process of producing local development plans. There have been concerns that changes at this stage would undermine the process to date, however the changes seem to be limited to removing repetition and supporting a more integrated approach to place shaping for area.
- 2.4 The new PPS12 together with the Plan Making Manual (issued by the Planning Advisory Service) replace the 2004 version of PPS12 and the companion guide *Creating LDFs* , also issued in 2004.

### 3. **OPTIONS FOR CONSIDERATION**

- 3.1 The Government's aim for local spatial planning is to create a framework to deliver a vision for the future growth and development of local areas. Notably this goes beyond simply allocating pieces of land for development, to bring together priorities, programmes, policies and public sector resources that will support private investment and regeneration, action on climate change and achievement of sustainable development.
- 3.2 The concept of spatial planning offers a number of advantages for local authorities and Local Strategic Partnerships as a means to underpin wider corporate strategy, providing an evidence base and engaging with the community and private sector that will benefits a range of services. Specific areas that are reliant on effective spatial planning are the provision of affordable housing and green infrastructure, economic growth and regeneration and safeguarding environmental assets.

#### **The Core Strategy**

- 3.3 Local planning authorities are required to produce Development Plan Documents (DPDs), which come together within the local development framework. The core strategy provides the overall strategy, objectives, delivery and monitoring plan, making it the primary DPD.
- 3.4 The core strategy should be consistent with national planning policy and generally conform with regional planning policy set out in the Regional Spatial Strategy. There is a general principle that national and regional policy does not need to be repeated in the core strategy. However, in certain localities it may be necessary to give more details on the impact of certain issues in the area. There should also be general conformity between the core strategy and the local authority's Sustainable Community Strategy.

- 3.5 The vision for the future of the area will be based on an analysis of the local area, including characteristics and key challenges. In order to provide a clear and long-term vision for the area the core strategy should consider a time horizon of at least 15 years. Strategic objectives are expected to provide the bridge between the vision and general strategy, identifying specific issues to be addressed.
- 3.6 A detailed delivery strategy is expected that will outline the actions needed to deliver the vision and objectives. Wherever possible the strategy should set out when, where and who delivers these actions and how actions taken by different bodies fit together. Any body delivering these actions should be involved in preparing the strategy and resources should be identified for delivery. There should be a key diagram that identifies the spatial choices for developments to aid future decisions, particularly in planning applications.
- 3.7 Core strategies should also identify:
- Strategic sites – while not necessarily needing to provide detailed requirements for the sites, the core strategy should allocate strategic sites for development particularly if there are long lead-in times for investment.
  - Infrastructure – evidence is needed of the physical, green and social infrastructure needed to deliver the wider development vision, included in this should be who will provide the infrastructure and when. There is concern about the infrastructure needed for housing growth, the strategy should provide for any uncertainty with consideration of the role of contingency planning and the Community Infrastructure Levy.
  - Joint working – spatial planning does not stop at the local authority boundaries, which means local planning authorities will need to work together on evidence and forming plans.

### **Preparing the Core Strategy**

- 3.8 In preparing the core strategy participation is key. Local authorities should produce a Statement of Community Involvement to explain how the community will be engaged in the process of producing local development documents from the core strategy to planning applications. The principles for community engagement in planning are that it is appropriate to the level of planning; early and continuous; transparent and accountable; and planned. This should provide ownership of the process so that people feel they are an integral part of the process.
- 3.9 Community involvement in spatial planning should not be seen in isolation. Local authorities are encouraged to integrate this work with other community engagement activities, in particular around the LSP

and Sustainable Community Strategy. The planning policy recognises the impact of consultation fatigue and calls for any consultation to be 'proportionate'. While the community should be able to comment before the final document is produced, the level of engagement should be based on the scale of change.

- 3.10 Those stakeholders that have an active part in delivering the plan should be involved early in the process. As well as public sector partners – regulatory, physical infrastructure and social infrastructure agencies – this should include landlords, housebuilders and the minerals and waste management industries.

### **Justification of the Core Strategy**

- 3.11 The core strategy is subject to independent examination that will be looking for assurance of legal compliance and soundness. The legal requirements are outlined in the *Planning and Competitive Purchase Act 2004 20(5)*. The test of soundness has been revised in this PPS12 to provide a simpler process with the same rigour of the previous process. The test should show the core strategy is:

- justified – there should be a strong and credible evidence base that contains the views of the community and stakeholders alongside research showing the choices are supported by facts and it should be the most appropriate strategy when considered against alternatives,
- effective – the strategy should be deliverable, flexible and able to be monitored
- consistent with national policy.

- 3.12 As part of the justification there is a requirement to conduct a Sustainability Appraisal – appraising the economic, social and environmental sustainability of the plan. This should be integrated into the preparation process and inform evaluations of any alternatives.

- 3.13 To meet the effectiveness test the plan needs to include targets or measurable outcomes. There should be an Annual Monitoring Report to track progress, for guidance see *Local Development Framework Monitoring: A Good Practice Guide*.

### **Timetable**

- 3.14 There should be a Local Development Scheme to set out the timetable with key milestones for producing the DPDs. The government is looking for core strategies to be produced in a timely and efficient manner.

- 3.15 There is particular concern that plans are set in action to meet housing targets. Any slippages should be discussed with the Government Office.

### **Other documents within the Local Development Framework**

- 3.16 Additional DPDs could be considered where an issue needs treatment in a development plan and is not adequately covered in the Regional Spatial Strategy or core strategy. This may be to provide additional detail not appropriate in the core strategy. Other DPDs follow the same requirements for legal compliance and soundness outlined above for preparation of the core strategy.
- 3.17 In areas of significant change or where conservation is needed it may be necessary to produce an Area Action Plan. This plan should identify the distribution and relationship of different uses in the area and specific land allocations. They should also attempt to set a timetable for implementation of changes in the area.
- 3.18 Supplementary Planning Documents (SPDs) should provide greater detail to other DPDs. Community planning through urban community or parish councils could be included in the statutory planning process as an SPD. However there is a note of caution, that these plans should not be expected to become SPDs and should involve the local planning authority from an early stage. Non statutory parish and community plans should be reviewed as part of the planning authorities community involvement.
- 3.19 It should be noted that the initial proposal to allow local authorities to prepare SPDs to elaborate on regional and national guidance has for the time being been abandoned. However, government agencies or Regional Planning Bodies or County Council also provide supplementary guidance. Other bodies can also prepare such guidance where it would provide economies of scale. However, this can only be seen as an SPD if it was subject to the same rigour of consultation and sustainability appraisal.
- 3.20 The Secretary of State continues to have powers of intervention in development plan documents or supplementary planning documents where there are issues which are of national or regional importance.
- 3.21 An adopted proposals map should be included showing areas of protection, at risk of flooding and allocate sites for particular land use and development proposals. This could also include inset maps to show the greater detail of area action plans.
- 3.22 There is a process for saving local plans and unitary development plans beyond the usual three year timescale. There are detailed criteria for this process and local authorities need to seek agreement from the Secretary of State.

#### **4. ANALYSIS OF OPTIONS**

- 4.1 The publication of the revised version of PPS12 can broadly be seen as a positive development. The streamlining of the processes, particularly surrounding the pre-submission consultation stages, put in place by the 2004 Act together with the increased focus on local spatial planning is particularly welcomed. The PPS provides more clarity about the role of spatial planning by ensuring that it is well linked to the place shaping agenda as well as by requiring a new 15 year vision for the LDF.
- 4.2 The role of the Core Strategy is now more prominent and it is clear that it should be at the heart of the LDF. The changes to its role offer opportunities to set out a clear vision and delivery plan for the local area, in particular there is a stronger role in relation to infrastructure provision by local authorities and others. This reflects the incoming Community Infrastructure Levy (CIL) and the need to establish it through the development plan process.
- 4.3 Another major development in relation to the Core Strategy, is the ability to allocate strategic sites within the document. This represents a major opportunity for local planning authorities as in some cases such sites have a long delivery time.
- 4.4 Elsewhere, the simplification of the Tests of Soundness, is welcomed as it will be clearer for local planning authorities and members of the public to see what the Planning Inspectorate will base their findings on at the independent examination.
- 4.5 In conclusion, the approach to local spatial planning outlined in the PSS offers a greater degree of flexibility to local planning authorities about how they prepare their plans. It allows a more responsive and creative approach to plan-making.

#### **5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

- 5.1 Financial – the timely preparation and delivery of Local Development Documents has implications for the level of Housing & Planning Delivery Grant received by the authority.
- 5.2 Staffing – resources for preparing and delivering the Local Development Documents will be drawn from within the Spatial Planning team, and where appropriate other council services and the Local Strategic Partnership
- 5.3 Property – there are no property implications
- 5.4 IT – there are no IT implications

**6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)**

6.1 Statutory – the PPS is a material consideration in the preparation of Local Development documents and assists in the delivering of the statutory development plan system set out in the Planning & Compulsory Purchase Act 2004 and its sub-ordinate secondary legislation.

6.2 Environmental – the policy set out in the PPS12 requiring the preparation of the Local Development Framework will assist in the delivery of sustainable development.

6.3 Diversity – there are no diversity implications

6.4 Section 17 – Crime & Disorder – the policies contained in the Local Development Framework will help to create a built environment which is safe and secure.

6.5 Risk – there are no risk implications

**7. OUTCOMES OF CONSULTATION**

7.1 All comments received from relevant council officers have been incorporated into this report

**8. RECOMMENDATIONS**

8.1 That Members note the information contained in this report

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**Background Papers used in the preparation of this report**

Planning Policy Statement (PPS) 12: Local Spatial Planning, DCLG (2008)

Plan Making Manual, Planning Advisory Service (2008)

Planning Policy Statement 12: Local Spatial Planning, LGIU & STEER (June 2008)