

CABINET (LOCAL PLAN) COMMITTEE

6 OCTOBER 2015

REVISED LOCAL DEVELOPMENT SCHEME 2015

REPORT OF HEAD OF STRATEGIC PLANNING

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RECENT REFERENCES

CAB2528(LDF) Revised Local Development Scheme – Cabinet (LDF) Committee 27 November 2013 and Cabinet 4 December 2013

CAB 2491 Revised Local Development Scheme 2013 – Cabinet 26 June 2013

CAB 2376(LDF) Revised Local Development Scheme 2012 – Cabinet 12 Sept 2012

CAB 2178 Revised Local Development Scheme 2011 – Cabinet (LDF) Committee 6 June 2011

CAB 1969 Revised Local Development Scheme 2009 – Cabinet 3 February 2010

CAB 1905(LDF) Revised Local Development Scheme 2009 – Cabinet (LDF) Committee 20 October 2009

EXECUTIVE SUMMARY

The Council is required to produce, and keep up to date, a Local Development Scheme (LDS) that provides a programme for the production of Winchester District Development Framework.

The current LDS came into effect on 1 January 2014. Preparation of Local Plan Part 2 (LPP2) and the need to produce a separate development plan document (DPD) for Gypsy and Traveller Accommodation requires an update to be undertaken. Further consultation on LPP2 is programmed for November/December this year, after which the document will be submitted for examination.

The recommended revised LDS is attached at Appendix 1.

RECOMMENDATION:

That the revised Winchester District Local Development Scheme 2015, as set out in Appendix 1 to the Report, be approved and brought into immediate effect.

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DETAIL

1. Introduction

- 1.1 The Council is required to produce a Local Development Scheme (LDS) that provides a programme for the production of Winchester District Development Framework. It is a legal requirement to have an up-to-date LDS, as this is one of the tests of compliance at the examination of a local plan.
- 1.2 The current LDS came into effect on 1 January 2014, to reflect the adoption of Local Plan Part 1- Joint Core Strategy, preparation and subsequent adoption of Community Infrastructure Levy and commencement of preparation of Local Plan Part 2 (LPP2) Development Management and Site Allocations.
- 1.3. Preparation of LPP2 has now reached a key stage in its production with publication under Regulation 19 (pre-submission) to be undertaken during November/December 2015, in advance of formal submission for examination during the early part of 2016.
- 1.4. The LPP2 forms part of the 'Development Plan' for the District outside of the South Downs National Park and it should be noted that the saved policies from the Local Plan Review 2006 will remain in force only for the National Park part of the district until the National Park Authority adopts its own local plan
- 1.5 Publication of the LDS no longer requires submission to the Secretary of State for approval. Therefore, once approved, the revised LDS can be made available on the City Council's website.

2. Key changes

- 2.1 This version of the LDS sets out the need for a separate development plan document (DPD) on Gypsy and Traveller Accommodation within the District. Originally the intention was that gypsy and traveller sites would be identified through the LPP2 process and could therefore be incorporated into LPP2.
- 2.2 Consultants were appointed by a consortium of eleven Hampshire authorities to undertake an assessment of travellers' accommodation needs across most of the County. This was published in 2013 and identified a projected need for 26 additional pitches within the District up to 2027, with a further estimate of 9 travelling showperson's yards. Projecting this forward to the end of the Local

Plan period (2031) results in an estimated need for 33 gypsy/traveller pitches and 11 travelling showperson's pitches. It was proposed that these 'need' figures would continue to be included in LPP2 (draft policy DM4), but that a separate DPD is needed to allocate the necessary sites.

- 2.3 Consultants were appointed to examine potential sites but the results of this study that have been delayed to the extent that it is now too late for the conclusions of this report to be incorporated into LPP2, without causing undue delay to LPP2. Also, at the end of August 2015 the Government published a revised 'Planning Policy for Traveller Sites', which is the key national guidance on traveller provision. The main change is to the definition of travellers, to exclude those that have permanently abandoned a nomadic way of life, and this is likely to have implications for the number of traveller pitches needed. Therefore, the assessment of travellers' accommodation needs should be updated so as to inform the number of pitches that need to be identified and allocated.
- 2.4 Government guidance requires a 5-year supply of gypsy and traveller sites and for LPP2 to be silent on this matter will generate immediate concern and potential soundness issues from the LPP2 Inspector. The nature and sensitivity of this topic, and the work still needed before consulting on potential sites, is too major to be added to the site allocations of LPP2 at this late stage. Consequently, the most appropriate solution is to include in the LDS the need for a separate Gypsy and Traveller Accommodation DPD. The recommended programme for this is set out in the LDS at Appendix 1 and the cost implications are considered below.

Other considerations

3 SUSTAINABLE COMMUNITY STRATEGY AND PORTFOLIO PLANS (RELEVANCE TO)

- 3.1 As part of progressing effective spatial planning of the District, the LDS is relevant to many of the stated aims of the Council's Community Strategy. This is to be achieved by ensuring that the programmed documents are prepared and delivered to the agreed timescales to enable the implementation of the actions to deliver the outcomes of the Strategy and matters expressed in Portfolio Plans in so far as they relate to spatial planning.

4 RESOURCE IMPLICATIONS

- 4.1. The key resources for undertaking work on LPP2 have been approved as part of the budget process, consisting primarily of an annual sum of £36,700 and an earmarked reserve which stood at £172,759 at April 2015. This budget is used for ongoing consultancy requirements, with any under-spend supplementing the reserve fund so as to deal with major expenditure at key stages, e.g.

examination. This budget is adequate to meet the expected costs of completing the Local Plan Part 2.

- 4.2 The budget does not include specific provision for the proposed gypsy and traveller DPD. The main financial costs of this are expected to be the assessment of travellers' accommodation needs, which is likely to be carried out by specialist consultants (estimated cost of about £15,000 depending on whether it is carried out in conjunction with other authorities), and the examination by an independent Inspector (estimated as approximately £30,000). As this was originally intended to form part of LPP2, there may be some savings in the cost of finalising LPP2 to offset part of this cost. However, at this stage, there is a possible need for a growth bid in 2016/17, depending on the precise cost and timing of various stages.
- 4.3. Meetings of the Cabinet (Local Plan) Committee are serviced from within existing resources in the Democratic Services Division.

5 RISK MANAGEMENT ISSUES

- 5.1. An up-to-date Local Development Scheme is a fundamental element of the Local Plan process, being part of the legal compliance tests under the examination procedure. The main risk in taking forward LPP2 and the proposed Gypsy and Traveller DPD is of the examinations finding the plans unsound. Failure to address the needs of travellers would result in a very high risk of this, hence the proposal to address this through a separate DPD. Otherwise, every attempt has been made to ensure that LPP2 will be found to meet the various test of soundness.
- 5.2. Failure to have sufficient funds could result in a delay in DPD preparation and production, particularly Local Plan Part 2, with consequential lack of planning policy guidance. The revised LDS identifies a number of other potential risks, their impact and likelihood of occurrence, together with contingency and mitigation measures.

BACKGROUND DOCUMENTS

None.

APPENDICES:

Appendix 1: Winchester District Local Development Scheme 2015