

**Executive**

**24<sup>th</sup> July 2007**

Report of the Director of City Strategy

## **City of York Local Development Framework – Core Strategy Issues & Options 2**

### **Summary**

1. The purpose of this report is to request that LDF Working Group's recommendations to the Council's Executive are endorsed and that they approve the LDF Core Strategy Issues & Options 2 and supporting documentation for consultation in the Summer. The emerging LDF Core Strategy document is attached as Annex A to this report. A report on this matter was taken to the Local Development Framework (LDF) Working Group meetings on the 18<sup>th</sup> July 2007 and the Minutes from this meeting have been circulated to Members of the Executive.
2. The Core Strategy of the LDF will be the first development plan document produced by the Council under the new planning system. It will be a compact written statement of the planning strategy and vision for the City of York, together with strategic policies. All other planning documents produced will have to reflect the Core Strategy and it will have an important role in terms of development control. Thus it will be influential in shaping the development of the City of York over the next two decades.

### **Background**

3. The Planning and Compulsory Purchase Act (2004) (P&CP) commenced on 28<sup>th</sup> September 2004 and represented a fundamental change to the system of development planning in this country.
4. The new system introduced a range of new planning documents collectively known as the Local Development Framework (LDF). The LDF comprises a core strategy, a development control document, site specific allocations of land, and a proposals map. It may also contain area action plans where these are needed, and supplementary planning documents. By keeping different elements separate, the LDF should be more flexible and adaptable to changing circumstances.

### **Options**

5. Members have three options relating to the Core Strategy Issues & options 2 document:

**Option 1:** To approve the document, attached as Annex A, along with supporting information for public consultation;

**Option 2:** To seek amendments to document through recommendations of the Executive; or

**Option 3:** Request further work from officers.

## **Analysis of Options**

### **Local Development Scheme**

6. It is important that the Issues & Options papers are approved for consultation at this point to ensure the Council's Local Development Scheme (LDS) is not unduly compromised. The Council's approach to the Local Development Framework is set out in its LDS a three year project plan. The LDS for the City of York was approved by Members in early 2007 and Government Office in June 2007. With regard to the Core Strategy the LDS currently shows that it is the Council's intention to adopt the Core Strategy early 2010 although Officers are currently assessing whether it will be practical to speed up this process and this will be included in a report to the Executive in Autumn.

### **LDF - Core Strategy**

7. As indicated the Core Strategy will set out the overall strategy of the LDF and the key strategic policies against which all development will be assessed. All other development plan documents prepared by the Council will have to be in conformity with the Core Strategy and contain policies and proposals which support its strategic vision, objectives and spatial strategy. In summary the Core Strategy will contain:
  - a spatial portrait or description of the authority area;
  - a vision;
  - strategic objectives;
  - a spatial strategy; and
  - strategic policies.
8. The final version of the Core Strategy will have to conform to the Regional Spatial Strategy (RSS) which will include a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. The emerging RSS for Yorkshire and the Humber was subject to Public Consultation and an Examination in 2006. Following the examination a report was produced by the independent panel, that recommends changes to be made to the emerging RSS. The Government Office for Yorkshire and the Humber (GOYH) is presently considering this report and will publish a proposed changes document for consultation, in September 2007. It is anticipated that the final document will be published in early 2008.
9. The LDF will also have full regard to other key Council Strategies including the Community Strategy. Government Guidance in PPS12 indicates that the *Local Development Framework* should be a key component in the delivery of

the spatial aspects of an authority's community strategy. York's community strategy is currently under review and the new emergent strategy, including surrounding consultation, will be reflected in the development of the LDF - Core Strategy.

## Consultation

10. The Core Strategy will effectively involve public participation at the three stages highlighted below.
  - **'Issues & Options' Stage** – at this point the Council highlights key issues and options for consultation to inform the content, scope and direction of the Core Strategy. (The consultation is planned to start in late August running until the end of September).
  - **'Preferred Options' Stage** – consultation on the Council's intended approach. (Planned April – May 2008).
  - **Submission Stage** - consultation on the final document submitted by the Council to the Secretary of State. Any comments received at this stage will be forwarded to the Planning Inspectorate for consideration in relation to the Public Inquiry that will be held into the document. (Consultation planned January – February 2009).
11. As previously indicated the City of York's LDF Core Strategy is currently at its 'Issues and Options' stage of development. An initial 'Issues & Options' consultation exercise was held in Summer 2006 and the views raised during this exercise are summarised in a document called 'LDF Issues and Options Consultation Summer 2006'. This document, subject to the agreement of Members, will be made available along side the Issues and Options 2 document to support decision making during the consultation process. Copies of this document are available in the Members Library, from the author of the report, from the Council receptions at 9 St Leonard's Place or the Guildhall or from the Democracy Support Group (Telephone 552030). The responses received from the initial consultation have been taken into account in developing the further Issues & Options document attached to this report. It should be noted however all comments received, both during the consultation last summer and on this document, will be used to inform the development of the Core Strategy and will be summarized and reported to Members in full.
12. The production of a further Issues & Options document in addition to allowing the consideration of comments from the first stage consultation have also allowed the factors highlighted below to be taken into account.
13. Officers have given careful consideration to the lessons learned from the experience of other authorities with the new planning process. Members will recall the report to the LDF Working Group detailing the experiences of Stafford Borough Council and Lichfield District Council. Both were at the 'forefront' of the new system but unfortunately following public examination both Core Strategies have been found to be unsound. The Inspectors considered that the defects were so severe that re-wording would not address the problems and that both documents should be withdrawn, effectively forcing the authorities to go back to the first stage of document production the 'Issues and Options' stage. In the Yorkshire and Humber Region Ryedale's

Cores Strategy had also being judged unsound. Hambleton's LDF Core Strategy however has successfully passed through the adoption process. Officers are giving full consideration to both those local authorities that have been successful and unsuccessful.

14. Following on from the last consultation a considerable amount of work has been done to develop a robust evidence base for the LDF. The evidence base is of key importance under the new planning system and this further work is reflected in the document attached. This work includes:
  - A Strategic Flood Risk Assessment For York
  - Housing Market Assessment
  - Employment Land Review (Phase 1)
  - Open Space, Sport & Recreation Study (Phase 1).
15. The current position of the emerging Regional Spatial Strategy is highlighted in paragraph 7 above. Officers have been able to reflect the ongoing development of the RSS in the proposed consultation document.

### **Sustainability Appraisal**

16. When producing LDFs local authorities are required to consider, at each stage of production, the impacts their proposals are likely to have on sustainable development. This is done through undertaking a Sustainability Appraisal of the document concerned and the publication of the Appraisal so that those responding to any consultation are aware of the economic, social and environmental implications of certain approaches. The Sustainability Appraisal involves assessing the emerging LDF against a range of sustainability objectives informed by the national and regional policy, the Local Agenda 21 process and the City's Ecological Footprint. Members have already agreed the scoping report for the Sustainability Appraisal of the Core Strategy and this will be used to consider the sustainability of the Issues and Options 2 document.

### **Next Steps**

17. Following Members approval of the Issues and Options document a Sustainability Appraisal will be undertaken by independent consultants. The final version of the Issues and Options document accompanied by the Sustainability Appraisal, a summary leaflet and the 'LDF Issues and Options Consultation Summer 2006' document will be used as the basis of a City wide consultation due to start in late August. The results of this consultation process will be reported back to Members along with recommendations on the form and scope of the Core Strategy at its 'Preferred Options Stage'.

### **Corporate Priorities**

18. The publication of the Issues & Options 2 document accords with the following Corporate Strategy Priorities:

- Decrease the tonnage of biodegradable waste and recyclable products going to landfill
- Increase the use of public and other environmentally friendly modes of transport
- Improve the actual and perceived condition and appearance of city's streets, housing estates and publicly accessible spaces
- Increase people's skills and knowledge to improve future employment prospects
- Improve contribution that Science City York makes to economic prosperity
- Improve the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest
- Improve the life chances of the most disadvantaged and disaffected children, young people and families in the city
- Improve the quality and availability of decent affordable homes in the city.

### **Implications**

19. There are no implications relating to the following: Financial; Human Resources (HR); Equalities; Legal; Crime and Disorder; Information Technology (IT); Property; or Other.

### **Risk Management**

20. It is important that the LDF is progressed in a way that does not compromise the Council's project plan. In addition in the context of an unadopted Local Plan it is important that this is done as quickly and efficient as possible. In addition there is no set format for this type of document. Therefore every effort has been made to ensure that the approach taken will lead to a 'sound plan'.
21. It is recognised that the elements of the evidence base are currently emerging, however, the majority of background studies are available and have been included in the preparation of the Issues and Options 2 document. Further elements of the evidence base documents will be prepared to inform the next stage of document development - Preferred Options.

### **Recommendations**

21. That Members:
  - i. approve the Draft Issues & Options document for public consultation subject to any changes recommended at the LDF Working Group and at the meeting of the Executive;

- ii. approve the publication of the '*LDF Issues and Options Consultation Summer 2006*' document to support the consultation on Draft Issues & Options document;
- iii. delegate to the Director of City Strategy in consultation with the Executive Member and Shadow Executive Member for City Strategy the approval of the final layout of the document, the Sustainability Appraisal and the summary leaflet to accompany the Issues & Options document consultation; and
- iv. delegate to the Director of City Strategy in consultation with the Executive Member and Shadow Executive Member for City Strategy the making of any incidental changes to the draft document that are necessary as a result of the recommendation of the LDF Working Group or the Executive.

Reason: To ensure that the LDF Core Strategy can be progressed to its next stage of development as highlighted in the Council's Local Development Scheme.

### Contact Details

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Report Approved

Date 12/07/2007

**Specialist Implications Officer(s)** *None*

**Wards Affected:** *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers

- (i) - 'LDF Issues and Options Consultation Summer 2006' document.

Annexes:

- Annex A - 'LDF –Core Strategy Issues & Options 2' consultation document.