

<b>TITLE</b>	<b>Wokingham Borough Local Development Framework – Draft Options for the Managing Development Delivery Development Plan Document (Public Participation version)</b>
<b>FOR CONSIDERATION BY</b>	The Executive on 2 June 2011
<b>WARD</b>	None Specific
<b>STRATEGIC DIRECTOR</b>	Heather Thwaites, Strategic Director Strategy and Corporate Affairs
<b>LEAD MEMBER</b>	Angus Ross, Executive Member for Strategic Highways and Planning

**OUTCOME**

Once adopted, the policies in the Managing Development Delivery Development Plan Document, in combination with the Core Strategy, will ensure the delivery of high quality, infrastructure rich development in defined locations to 2026.

**RECOMMENDATION**

The Executive is recommended to:

- 1) agree the draft options for the Managing Development Delivery Development Plan Document (Public Participation version) for consultation (Appendix A);
- 2) agree update to the Council's adopted Statement of Community Involvement to have regard changes brought about by amendments in legislation; and
- 3) allow the Strategic Director of Strategy and Corporate Affairs in consultation with the Executive Member for Strategic Highways and Planning to agree minor changes to the MDD DPD consultation documents.

**SUMMARY OF REPORT**

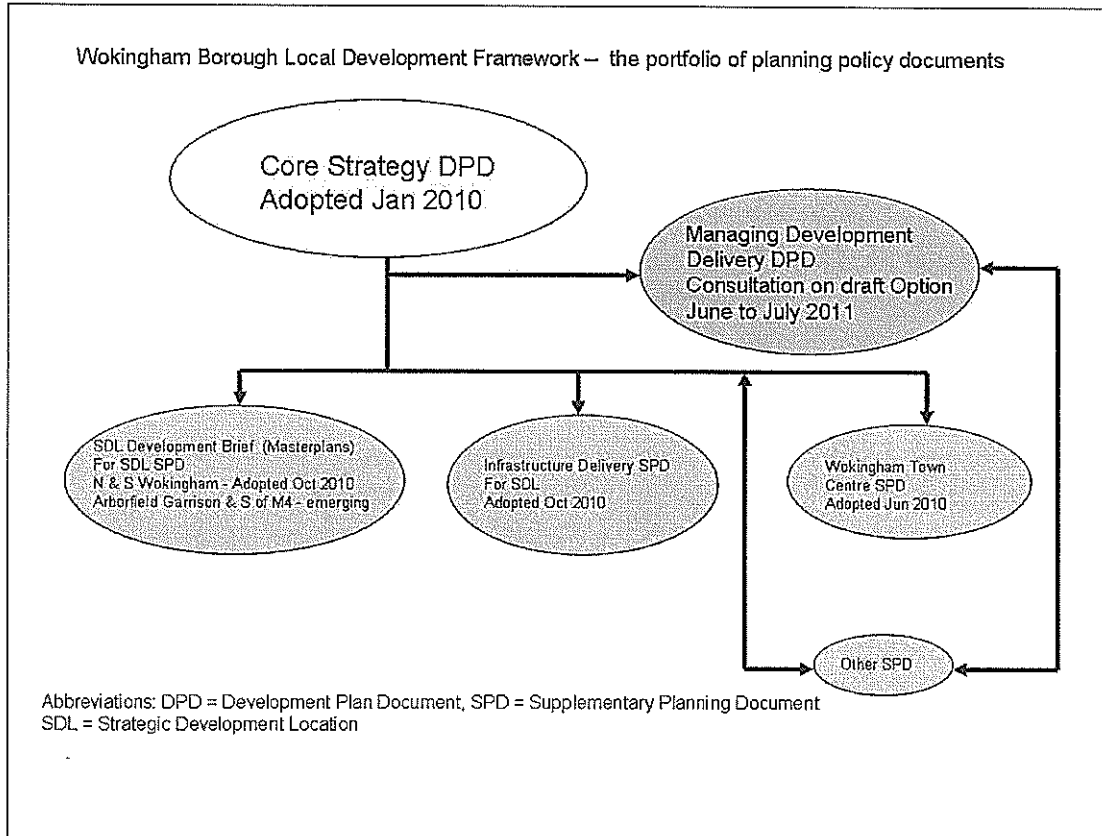
The report seeks agreement that the draft options for Managing Development Delivery Development Plan Document (Public Participation version) be published for consultation. *(Please note that due to the size of this document it is not included in the agenda but can be found on the Council's website.)*

The Managing Development Delivery Development Plan Document, once adopted, will identify and allocate residential sites for the remaining requirements of Core Strategy Policy CP17 (i.e. outside of the Strategic Development Locations). It will also include policies for speculative and unallocated residential sites in line with the vision and policy of the Core Strategy and other Council strategies; set the boundaries for development limits, town centres, employment and retail uses to 2026, and provide more detailed Development Management policies.

The first stage in the production of the document is this draft options stage in which the Council consults on the options which best reflect the evidence and the community's views for each issue. It lists all sites that have been put forward, and sets out the Council's potential approach and criteria to policy and site selection based upon the adopted Core Strategy. The document does not allocate sites at this stage.

## Background

The Local Development Framework is a portfolio of planning policy documents including Development Plan Documents and Supplementary Planning Documents. Details of how the Managing Development Delivery Development Plan Document fits into the Local Development Framework is illustrated in the diagram below.



The Core Strategy provides a framework for the Council's vision for land use planning up to 2026. The Managing Development Delivery Development Plan Document and Supplementary Planning Documents must be in conformity with it.

Once agreed the Managing Development Delivery Development Plan Document will do a number of things;

1. It is required by the Core Strategy (Policy CP17) to identify sites for at least 1,000 dwellings for the period to 2026 to ensure that the overall housing requirements of the Core Strategy are met. The Executive on 21 October 2010 re-affirmed the overall housing requirements for the Borough as detailed in Core Strategy Policy CP17. Since April 2008, planning permission has been approved or resolved to be granted for around 500 dwellings on sites that were not included in the baseline for housing land supply (such as Addington School, Woodley and 11-17 Wiltshire Road, Wokingham). It will also need to identify sites for at least 500 dwellings in reserve which can be delivered before 2026 if the need arises. The Council through this consultation is seeking views as to which of the towns and villages in the Borough should be taking these dwellings and how many they should take.

2. It will include policies for speculative and non-allocated sites in line with the vision and policy of the Core Strategy and other Council strategies. The policy is likely to include specific criteria for these sites.

3. It may also allocate sites for Travelling Showpeople to the year 2016 in line with Policy CP2 of the Core Strategy if this requirement is not met by other means. With regard to need for Gypsy and Traveller together with Travelling Showpeople pitches/plots post 2016, the Council will need to undertake further assessment work.

4. It may also allocate sites, in line with the Core Strategy, for:

- Community facilities including burial grounds and open space associated with development
- Commercial development including retail and the Science and Innovation Park.

5. It needs to have regard to the requirement for residential accommodation for vulnerable groups (care homes, dementia units and young person's group homes) and will consider proposals having regard to policies on speculative and non-allocated housing sites.

6. It will also turn the high level policies of the Core Strategy into more detailed development management policies where required and will also replace the remaining saved policies of the local plan. It will include policies on:

- Housing (e.g. housing mix, criteria for speculative and non-allocated sites);
- Sustainable Development and Climate Change;
- Green infrastructure (including outdoor play and recreational space, amenity green space in built-up areas, new public open space associated with development, moorings and wildlife and wildlife corridors);
- Main employment and retail areas together with primary & secondary shopping frontages;
- Town, district and village centres/ local centres and uses;
- Employment in the countryside including rural diversification
- University of Reading;
- Tourism;
- Character and heritage assets;
- Major developed sites in the Green Belt;
- Landscape (including Special Landscape Areas, Sites of Urban Landscape Value, River Corridors and Valleys);
- Transport and movement (including protected road lines and land to be safeguarded for transport improvement schemes and connectivity and permeability of the rights of way and the footpath network).

7. It will set the boundaries for such things as Development Limits (Settlement Boundaries), Settlement Separation, Green Belt, Town, District and Village Centres (including primary and secondary frontages), Green Routes, Special Landscape Areas and Sites of Urban Landscape Value.

Other planning policy areas not listed above are likely to be included in subsequent Supplementary Planning Documents (such as residential design, householder extensions, highway design and shopfronts and adverts).

### **Analysis of Issues**

The Managing Development Delivery Development Plan Document will put the Core Strategy vision for how the borough will develop in the period to 2026 into action by

seeking to ensure that new development and the protection of land within the borough is in line with the Council's Vision in that the Council promotes economic growth, maintaining a good quality of life and that the Borough is a good place to live and work. The document will also be in line with the Council's identified priorities, in particular 'better health for all and support for vulnerable people', 'a cleaner and greener local environment' and 'sustainable, quality development.' To do this it will draw upon a number of strategies produced by the Borough Council (e.g. Economic Development Strategy, Local Transport Plan and the Housing Strategy).

#### Draft Options Stage

This version sets out the Council's likely options (and alternatives) to policy and site selection and it asks questions regarding whether the options are appropriate. The consultation on the draft options MDD DPD will run for a period of 6 weeks from 15 June 2011 to 27 July 2011. The consultation responses will help develop both the appropriate criteria for allocating sites and policies for the Council in assessing planning applications.

#### Timeline for Managing Development Delivery Development Plan Document

15 June to 27 July 2011	Public Consultation on Draft Options document
November/ December 2011	Executive and Council consider agreeing specific sites for allocation and development management policies for consultation and subsequent submission to the Secretary of State (Draft Submission document)
January to February 2012	Consultation on draft Submission document
Summer 2012	Submission to Secretary of State for Examination in Public
Autumn 2012	Examination in Public
Late 2012	Executive and Council consider agreeing adoption

#### Risks to progress

Key to the progress of the Development Plan Document is the engagement with other internal services and external organisations and groups.

#### Costs

The costs of producing this document for consultation purposes were anticipated and will be paid for through the budget set aside for consultations within the Land Use and Transport Team. A full copy of the draft options version is available in Democratic Services.

#### **Legal compliance**

In producing the draft options for the Managing Development Delivery Development Plan Document (Public Participation version), the Council must assess whether the document is compatible with the legal requirements associated with plans of the authority. This includes the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended), the Environmental Assessment of Plans and Programmes Regulations 2004 and the Conservation of Habitats and Species Regulations 2010, the Human Rights Act, compliance with Directives of the European Commission and subsequent UK Regulations and ensuring that no segment of the borough's community is unfairly penalised through the eventual implementation of the Development Plan Document. Since the authority is not agreeing the submission version of the DPD at this time, there is no need to formally consider the implications of this version of the document through the Human Rights Act or an Equality Impact

Assessment. This is because this version of the document does not detail how the authority will consider planning applications. The accompanying background documents indicate how the MDD DPD complies with the relevant requirements.

Statement of Community Involvement

In addition the Executive also needs to update the Council's adopted Statement of Community Involvement. This is a document required by the Planning and Compulsory Purchase Act 2004. It sets out the Council's strategy for involving the community in the preparation and development of Development Plan Documents and Supplementary Planning Documents. The update is required to take account of amendments in legislation, which have changed the statutory consultation requirements that must be undertaken in conjunction with the preparation of Development Plan Documents.

**List of Background Papers -These and the maps referred to in the Managing Development Delivery Development Plan Document are available to view as hard copies at the Council Offices at Shute End Wokingham**

1. Adopted Wokingham Borough Core Strategy (January 2010);
2. Levvel's Affordable Housing Viability Study (June 2008) and update (March 2009);
3. Blandford Associates Assessment of Gaps and Green Wedges (June 2006);
4. Land Use Consultants Wokingham District Landscape Character Assessment (March 2004)
5. Wokingham BC Assessment of Gaps and Landscape Capacity (July 2008)
6. LPS14 Report of findings of SHLAA workshop (Sept 2008)
7. Initial Options for Site Allocations DPD (August 2006);
8. Initial Sustainability Appraisals for sites suggested (August 2006);
9. LPS10(a) Report of Consultation on the Sites Allocations DPD Consultation Issues and Options Green Gaps and Wedges, Green Belt and Development Limits;
10. LPS10(b) Report of Consultation on the Site Allocations DPD Consultation Initial Issues and Options List of Sites;
11. Sustainability Appraisal of the Draft Options for the Managing Development Delivery Development Plan Document (Public Participation version);
12. Sustainability Appraisal (including Strategic Environmental Assessment) of the sites suggested for consideration through the Managing Development Delivery Development Plan Document
13. Environmental Report for Draft Options for the Managing Development Delivery Development Plan Document (Public Participation version) (pursuant to Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004);
14. Habitat Regulations Assessment of Draft Options for the Managing Development Delivery Development Plan Document (Public Participation version) (pursuant to Regulations 61 and 102 of The Conservation of Species and Habitats Regulations 2010);
15. Draft Strategic Housing Land Availability Assessment (Site summaries) April 2011 (May 2011);
16. Draft technical update to Statement of Community Involvement.

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<b>Date</b> 11 May 2011	<b>Version No.</b> 2

# WOKINGHAM BOROUGH COUNCIL LOCAL DEVELOPMENT FRAMEWORK (LDF) 2006 - 2026

**Technical Update to the Statement of Community Involvement (SCI)  
In response to amendments to the Town and Country Planning (Local  
Development) (England) Regulations 2004 introduced by the Town and  
Country Planning (Local Development) (England) (Amendment)  
Regulations 2008.**

## **1. Introduction**

Wokingham Borough Council's Statement of Community Involvement (SCI) details how the Council will involve residents, communities and other stakeholders in the production of Local Development Framework (LDF) documents, as well as the approach to consulting on planning applications.

This technical update has been produced in response to amendments in legislation, which have changed the statutory consultation requirements that must be undertaken in conjunction with the preparation of Development Plan Documents (DPDs).

This technical update should be read with the Council's adopted SCI, dated 1st December 2006, as this amends only those sections which have changed as a result of the new Regulations, i.e. this addendum updates part 11 paragraph 2.39 and Appendix 3 of the adopted Statement of Community Involvement.

In addition and for clarity this addendum updates the list of documents that the council will produce in line with its Local Development Scheme

## **2. Amendments to the Adopted SCI**

The implementation of the 2008 Regulations has changed the way in which DPDs are prepared. Most notably, the requirement for a 'Preferred Option' stage (former Regulation 26) has been removed and more emphasis has been placed on the early involvement of the community and other stakeholders (Regulation 25, formerly known as the 'Issues and Options' stage). The following sets out the new approach in which DPDs will be produced to accord with the 2008 Regulations.

### **Preparation**

#### Evidence Gathering

Initial work on a DPD will involve the gathering of evidence. Examples of some of the studies that will or have been undertaken to inform the production of a DPD include:

- A Strategic Flood Risk Assessment produced in partnership with the Environment Agency ;( in progress)
- Strategic Housing Land Availability Assessment (SHLAA)(produced)
- An updated Retail Land Study (produced)
- Landscape Character Assessment (produced)
- An updated Open Space Audit (in progress)

### Community and Stakeholder Involvement

Public participation will be encouraged at the earliest possible stage in the preparation of DPDs. In order to achieve this, Wokingham Borough Council will consult on a draft Options paper for each DPD. This procedure will be similar to the previous Pre-submission Public Participation stage (Regulation 26) of the 2004 Regulations. Under the amended 2008 regulations it is known as the Regulation 25 Stage.

### SEA Determination

The Council will consult the statutory bodies (Natural England, Environment Agency and English Heritage) for at least 21 days on whether any DPD or SPD requires an SEA. This will be published on the Council's website. If the Council considers that a SEA is required then this stage will not be undertaken and the authority will proceed straight to scoping stage.

### SA / SEA Scoping

At this early stage, the Borough Council is also required, under the European Strategic Environmental Assessment (SEA) directive (2001/42/EC), to undertake a 5 week consultation on the SEA / Sustainability Appraisal (SA) Scoping Report. This will involve undertaking consultation with Natural England, English Heritage and the Environment Agency (the 'specific consultation bodies' referred to in the Regulations) and other relevant stakeholders.

### Pre-submission

The result of this preparatory consultation stage will be the production of a DPD document, which will be published in advance of being submitted to the Secretary of State.

Once published, the document will be open to representations from the public and other stakeholders for a period of not less than 6 weeks. This is a formal process and it is subject to the specific requirements set out in Regulations 27 and 28 of the 2008 Regulations. The SA will also be published for consultation at this time, for a period of not less than 6 weeks.

## **Submission**

Following the 6 week pre-submission consultation, Wokingham Borough Council will summarise the main issues raised in the representations that have been received and submit this, along with the DPD and other supporting information for examination.

The amended Regulations have removed the requirement to consult on proposed alternative sites promoted by objectors following submission (Regulation 32 under the 2004 regulations)

The amended Regulations do allow the Council to make 'minor', 'focused' or 'extensive' changes that may be required prior to submitting the document.

### **Minor changes**

These will not change the content of the DPD and will merely improve legibility and ensure the DPD is up to date. If these are required then a schedule of the proposed changes would be submitted along with the DPD.

### **Focused changes**

Should the Council decide to make a 'focused' change at this stage, it will:

- Prepare an addendum to the published DPD, setting out the proposed change;
- Conduct a SA of the implications; and
- Consult on the addendum for a minimum 6 week period.

### **Extensive Changes**

If extensive changes are required, that is the changes to DPD will be significant, and the issues involved are overarching and it would be difficult to incorporate these changes into the DPD by changing limited parts, then the Borough Council will:

- Withdraw the DPD and undertake further work;
- Consult as necessary;
- Undertake a SA for the new content;
- Publish the DPD for consultation for formal representations, inviting those whom have already submitted representations to confirm if that representation still stands, indicate any changes or withdraw their representation.

## **Examination**

The submitted DPD will be examined by an independent Planning Inspector to test its 'soundness'<sup>1</sup>, taking into account the issues that



have been raised in the representations. The Inspector may invite any of those who have made representations to appear at public hearings that will be held as part of the examination process. Objectors can indicate in their response to the submitted DPD whether they would wish to appear at the Examination in Public.

Following the examination, the Inspector will publish a binding report on the DPD, which will set out any changes that are required prior to the adoption of the document.

<sup>1</sup> The 'Tests of Soundness' are set out in Planning Policy Statement 12: Local Spatial Planning, DCLG, 2008. See [www.communities.gov.uk](http://www.communities.gov.uk) for more information.

## **Adoption**

This is a formal process whereby the Borough Council adopts the DPD as part of the LDF. The DPD, Adoption Statement and Sustainability Appraisal will be made available for inspection during normal office hours at the Planning reception at the Council's main office at Shute End.

The DPD, SA and Adoption Statement will be published on the Council's website and notice given by local advertisement of the Adoption Statement, setting out where it can be viewed. The Adoption Statement will also be sent to any person whom has asked to be notified, as well as the Secretary of State

## **Supplementary Planning Documents (SPDs)**

These documents are intended to support policies and proposals within the DPDs. Whilst they are not subject to independent examination they are 'material considerations' in the planning decision making process.

## **Evidence Gathering**

All SPDs will be based upon an evidence base, similar to that on which DPDs are based and they will be directly related to policies contained within adopted DPDs. Where required, a 5 week consultation period will be undertaken on the SA Scoping Report and the three statutory consultation bodies will be consulted along with other relevant stakeholders.

The SA process will not need to be undertaken where it can be shown that it has already been undertaken for the policy which the SPD will be supplementing. The council will undertake the SEA determination stage to see if a SEA is required.

## **Consultation**

Once a Draft SPD and, where required, a SA/SEA Report have been produced, they will be put before the Council's Executive for approval to publish for consultation purposes.

A Consultation Statement will also be published detailing consultation carried out to that point, a summary of the main issues raised and how these have been addressed. Consultation will be for a period of six weeks to allow written comments to be submitted. The aim is to give individuals a formal opportunity to comment on the content of the SPD.

## **Adoption**

After considering the responses on the draft SPD and where required the SA /SEA Report the Borough Council will produce a finalised SPD which will be put before the Council's Executive for adoption as part of the LDF.

The SPD, Adoption Statement and SA Report, where produced, will be made available for inspection during normal office hours at the Planning reception at the council's main office at Shute End.

The Final SPD, SA/SEA (where applicable) and Adoption Statement will be published on the Council's website and notice given by local advertisement of the adoption, noting where it can be viewed. The Adoption Statement will also be sent to any person asked to be notified and to the Secretary of State.

## **3 Amended List of Development Plan Documents that the Council will produce**

This addendum also updates the list of Development Plan Documents shown at Para 2.9 of the adopted SCI that the council will produce in line with its Local Development Scheme. These are

Core Strategy (Adopted January 2010)

Managing Development Delivery DPD. This DPD will Identify and allocate sites for dwellings outside of the Strategic Development Locations;

- It will set the boundaries for development limits, town centres, employment and retail uses to 2026 ;
- The Managing Development Delivery Development Plan Document will also provide more detailed Development Management policies.

#### **4. Future review of the SCI**

This document presents an update of specific sections of Wokingham Borough Council's adopted SCI to bring it up to date with changes in the Town and Country Planning (Local Development) (England) Regulations 2008 (as amended).

This does not constitute a full scale review of the SCI. Any such full review will be subject to the amended Regulations and any changes implemented through the future Localism Act. Any full scale review will involve community involvement to inform the production of the document.