

Management Committee

For Meeting to be held on: 7 June 2011

For Decision

Briefholder(s):

Environment

Report Author and contact:

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Director:

David Evans Director - Environment

Progressing Replacement Planning Policy for Weymouth & Portland and West Dorset

Purpose of Report

1. To decide on the way forward for continuing to prepare replacement planning policy, enabling work to be progressed

Officer's Recommendations

- (a) That a joint Local Plan for Weymouth & Portland and West Dorset be prepared, that on its adoption would replace the two existing adopted Local Plans;
- (b) That the work undertaken so far on the two Core Strategies (including the evidence base and consultation to date) informs the preparation of the new plan;
- (c) That decisions on the emerging plan, and the final decision to adopt, be made by each of the two councils, with each retaining decision-making responsibility over its own area.

Reasons for the Recommendations

2. To enable the preparation of replacement borough- and district-wide planning policy to be progressed in a cost-effective manner, without any loss of individual council sovereignty.

Background

3. This is a joint report which is being taken to the Weymouth & Portland Borough Council Management Committee on 7 June 2011 and the West Dorset District Council Executive Committee on 21 June 2011.

4. Both the borough and district council have been working to prepare new planning policies for their areas that would replace the existing adopted local plans.
5. The Weymouth & Portland Local Plan was adopted in December 2005 and includes development land allocations for the period to 2011. Considerable progress has been made since on the preparation of a Core Strategy for Weymouth & Portland, under the planning system introduced in 2004. Core Strategies set out the broad planning policy for the future of an area, including potential areas of search for new development, but do not include the same level of detail as local plans. The intention has been to prepare a number of additional planning policy documents supporting the Core Strategy, including a Town Centre Area Action Plan and an Implementation and Delivery Development Plan Document.
6. Preparation of the Core Strategy began in 2006 and two major public consultation stages have taken place: in June 2007 on issues and options; and in June 2009 on draft policy options. The next stage is the preparation of a final draft document, for public consultation followed by submission to the Secretary of State for public examination. Officers have prepared this document and it has been approved by the Policy Development Committee in August/September 2010. The Management Committee then considered the document in November 2010 but the decision to approve the document for consultation was deferred.
7. The West Dorset Local Plan was adopted in July 2006 and includes development land allocations to 2016. Issues and options consultation for the Core Strategy took place in 2007 and a specific consultation on development options around the edge of Weymouth took place in 2009 to coincide with consultation on the Weymouth & Portland Core Strategy. The preparation of a 'preferred options' document for consultation was however deferred as a result of the changes proposed in the revised draft Regional Spatial Strategy which included substantial additional development proposals at Dorchester. Following the change of government and the announcement of the intention no longer to continue work on the Regional Spatial Strategy, a 'preferred options' consultation document was prepared for the Core Strategy, with the intention of agreeing this for consultation in autumn 2010.
8. With further information becoming available about the likelihood of change to the planning system under the new government however, the Executive Committee resolved in November 2010 to stop work on the Core Strategy and instead develop it as a new-style Local Plan under the emerging system. West Dorset has been accepted as one of the national 'front runner' local authorities for preparing the new Neighbourhood Plans, and intended to prepare the new Local Plan alongside the pilot Neighbourhood Plans in order to pilot both main elements of the new system.
9. The delays in the preparation of both councils' planning policy documents, the changes to the national planning system and development of the staff partnership for the two councils, mean that this is an appropriate opportunity to consider the best way forward. West Dorset District Council's Policy Scrutiny Committee at its meeting on 22 March 2011 requested that discussions took place with Weymouth & Portland Borough Council on the

possibility of preparing a joint local plan to cover both areas. This report therefore considers the alternative options of moving straight away to the preparation of a joint Local Plan, or continuing to prepare a separate Core Strategy for Weymouth & Portland and new-style Local Plan for West Dorset (and potentially preparing a joint plan in future to replace them).

Report

10. The intention to make significant changes to the national planning system was set out in the Conservative Party's pre-election Green Paper, 'Open Source Planning'. Many of the proposed changes are set out in the Localism Bill that has been going through Parliament this year. Other changes will be made through changes to regulations and national policy statements. Major changes proposed in the Localism Bill are the abolition of Regional Spatial Strategies (which established the targets for housing and other development in each borough or district) and the introduction of Neighbourhood Development Plans, which will be prepared by local communities and adopted as part of the statutory development plan for the area.
11. Local planning authorities will still prepare district-wide plans alongside these neighbourhood plans, but there will be changes in how they are prepared, and they are being referred to again as 'Local Plans' rather than Local Development Frameworks. The fundamental intention is for decisions about the future planning of local areas to be made at a more local level, giving local communities greater control.
12. One of the main changes is that the new Local Plans will themselves set targets for the amount of development to take place in the local authority area, rather than having these targets set by regional or structure plans. These will need to be based on sound evidence (which may include some of the evidence that previously informed the development of the Regional Spatial Strategy, though there will be a need to update much of this). Stakeholder and/or community input will also be required.
13. Local plans will also need to provide a framework for the future preparation of neighbourhood plans. They will need to make clear which of their policies are "strategic", that neighbourhood plans must follow, and which ones have the potential to be varied locally through neighbourhood plans. They will, for example, set development targets for specific areas that any neighbourhood plans for those areas would be expected to meet. Local Plans will once again set out the majority of the district-wide planning policies in a single document, rather than a series of separate documents such as Core Strategies, Development Management policies and Site Allocations documents, though there will still be the opportunity to prepare additional documents as part of the development plan if required.
14. Preparing a joint Local Plan would have a number of advantages, particularly in the longer term. There would be efficiency savings in its preparation (for example having one public examination rather than two) and it would provide a consistent policy framework for the joint development management officer team. It would be an opportunity for cross-boundary issues to be considered together, particularly those relating to the Chickerell and Littlemoor areas, where land within West Dorset District effectively forms part of the greater

- Weymouth urban area and has the potential to meet some of Weymouth's longer term development needs.
15. It would provide an opportunity for a greater level of detail than is currently included in the emerging Weymouth & Portland Core Strategy, including the specific allocation of development sites, the definition of development boundaries and the strategy for Weymouth Town Centre that would have been developed later through the Town Centre Area Action Plan. While this level of detail would mean that its preparation would take longer than a Core Strategy, it would prevent this more detailed work having to be done separately at a later stage, which would be quicker in the medium term.
 16. It would provide a long-term plan that would not need to be reviewed so quickly, and would enable both councils to take on the proposed new system as soon as possible. While Weymouth & Portland's Core Strategy has advanced further than West Dorset's, the recent delays have brought them closer together and so there is an opportunity to make the change now. It would also take the opportunity presented by the Localism Bill to take a new approach to the preparation of planning policy documents, with greater flexibility to decide locally on the right approach for the area.
 17. There are of course also risks and disadvantages. Weymouth & Portland has prepared a draft 'submission document' of the Core Strategy and would be able to progress this to examination and adoption stages more quickly than the joint local plan – though the adoption of the intended Town Centre Area Action Plan and Implementation & Delivery Development Plan Document would be later. West Dorset still needs to undertake further consultation before submission stage. There are risks to both councils that if a delay arose as a result of a specific issue in one council's area, both would be affected. There could be perceptions of less local control and ownership of the plan as a result of the wider area covered, though this problem could be addressed through the inclusion of clear sections covering each geographical area, undertaking consultation on a local area basis and making clear that each council would retain total sovereignty over its area.
 18. In terms of its format, a joint local plan would include strategic and development management policies applying across both council areas, and separate sections or chapters of policies and proposals for different geographical areas (for example: Weymouth & adjoining areas within West Dorset; Portland; Dorchester & central West Dorset; Bridport & western West Dorset; and Sherborne & northern West Dorset). Policies applying across the whole area would need to be agreed separately by both councils, but each would be responsible for agreeing those policies specific to its area. It would also be possible to prepare the printed copies of the final plan in a loose-leaf format so that councillors and residents could have copies that included only the sections relevant to them, or so that separate Weymouth & Portland and West Dorset versions could be published, if this were preferred.
 19. In terms of the programme, there will be changes from the most recently published programmes whatever decision is taken. The Weymouth & Portland Local Development Scheme of July 2010 set out a programme for the Core Strategy based on Management Committee approval in November 2010, and the West Dorset Local Development Scheme agreed by the Policy

Scrutiny Committee in March 2011 included stakeholder consultation in June that is now more likely to take place in July and September. Revised indicative programmes are set out in the Appendix to this report. The joint Local Plan, allowing for a further consultation stage before submission and for a longer examination and inspector's reporting period, could be adopted by July 2013. The plan would be published for pre-submission consultation in May 2012, prior to the Olympics, enabling interest in key Weymouth & Portland development sites to be expressed by developers. Deciding to prepare a joint plan should not result in significant delay to the West Dorset programme, and would result in a delay of around seven months to Weymouth & Portland.

20. Should members decide to continue with the preparation of the Weymouth & Portland Core Strategy rather than a joint plan, some time will be needed now to carry out some updates to the evidence base, for example testing the development targets against more recent household projections. If however the document is approved by the Management Committee and full Council in September, and the public examination will takes no more than eight days, then the Core Strategy could be adopted by December 2012.
21. Whatever decision is made, it is important that progress in both areas is made, in order to secure outcomes that are important to the councils. These include: being able to bring forward important development proposals (for example those in Weymouth town centre); having an up to date policy framework that can be defended successfully in planning appeals; and being able to collect financial contributions from developers towards community infrastructure.
22. There is a critical deadline of April 2014, by which time any proposals to charge a Community Infrastructure Levy (CIL) must be in place if the councils intend to collect any financial contributions from developers that are intended to be pooled for spending on the same community infrastructure projects. CIL can only be collected when a formal charging schedule has been adopted, and this requires an adopted core strategy or new-style local plan to be in place. It is also possible that government policy may set a deadline by which new plans must be in place: if this is not met, the previous plans will not be taken into account and planning appeals will be considered on the basis of a 'presumption in favour of sustainable development'.
23. In conclusion, the preparation of a joint local plan would have significant advantages in terms of efficiency of preparation, ease of use by the staff partnership and ability to address cross-boundary issues. While there would be delays in the process for Weymouth & Portland, in comparison with the alternative of progressing with the emerging core strategy, it would allow other policy areas such as implementation and delivery to be progressed more quickly. It would avoid having to review the adopted core strategy again relatively quickly after its adoption in order to meet the requirements of the new system, and would avoid the need for some additional separate documents.
24. The councils' sovereignty over their individual areas would be retained through each council taking decisions on the policies and proposals in its own area, the inclusion of separate area chapters and through consultation on a

local area basis. The principal risks concern the effects of delays, but these can be addressed by planning a manageable approach to the next consultation stages and keeping to an agreed programme. On balance, the advantages are significant and are considered to outweigh the risks.

Financial Implications

25. The joint approach would enable savings for both councils in terms of staff time (as a common set of strategic policies would be prepared) and the costs associated with the public examination. Preparing separate plans would lead to an increase in staff costs. The public examination will still be a significant one-off cost that cannot be met from regular revenue budgets.

Key Considerations

Legal/ Statutory Powers

26. The Planning & Compulsory Purchase Act 2004 and the Localism Bill when enacted.

Personnel including Health and Safety

27. The work will be carried out by the staff of both councils in the new joint Spatial and Community Policy team.

Risk Management

28. As set out in paragraphs 17, 21 and 22 above, there are risks associated with the delay to the Weymouth & Portland programme, the potential for a problem in one area to delay progress in the other, the fact that unforeseen delays could result in additional planning appeals, and the fact that failure to adopt a Community Infrastructure Levy charging schedule by April 2014 would affect the councils' ability to collect financial contributions from developers towards community infrastructure.
29. The risks largely relate to the programme and are manageable as long as we can retain staff resources and members' commitment to the approach. Should the councils decide to continue with the preparation of a separate core strategy for Weymouth & Portland and local plan for West Dorset, then two separate programmes will need to be managed and it will be important to progress the preparation of Weymouth & Portland's implementation and delivery document, and/or Community Infrastructure Levy charging schedule, as soon as possible after the core strategy is adopted, as the risk of delay will still apply.
30. There are also risks associated with the progress of the Localism Bill: should it fail to be progressed, then the joint plan would need to continue to be prepared under the existing legislation, and if progress is delayed then there could be uncertainty about the legislation that will apply at particular stages of plan preparation.

Internal/External Liaison

31. Discussions on the subject have taken place during meetings of Weymouth & Portland Borough Council's Management Committee and West Dorset District Council's Policy Scrutiny Committee previously, and within the Management Team. There has been significant external liaison as part of the preparation of the two Core Strategies to date, and there will be further stakeholder and public consultation prior to adoption.

Equalities

32. Emerging policies will be subject to equality impact assessments.

Crime and Disorder

33. Issues will be considered as part of the development of the local plan or plans: there are no direct implications arising from this report.

Appendices

34. Appendix 1 – Indicative Programmes for Joint Local Plan and Weymouth & Portland Core Strategy

Background Documents

35. West Dorset District Local Plan (July 2006), Weymouth & Portland Local Plan (December 2005).

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