

## ALLOCATIONS AND DEVELOPMENT MANAGEMENT - DEVELOPMENT PLAN DOCUMENT (ADM DPD)

### ENVIRONMENT SELECT COMMITTEE - 20 MARCH 2012

Report of the: Director of Community and Planning Services

Status: For consideration

Also considered by: LDF Advisory Group (12 March 2012)

Key Decision: No

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#### Executive Summary:

The report provides an update on progress on the Allocations and Development Management DPD. The ADM DPD is required to be consistent with the adopted Core Strategy and in general conformity with national planning policy. Once the ADM DPD is adopted, together with the Core Strategy, it will replace all of the remaining saved policies of the Sevenoaks District Local Plan.

The comments received on the three separate consultations (Site Allocations, February 2010 / Development Management Policies, May 2011 / Open Space Allocations, September 2011) are reported, together with the Council's response to these comments. The draft DPD has been revised and updated to respond to these consultation comments and to provide further information on individual sites.

Central government is in the process of finalising the National Planning Policy Framework (NPPF). Consultation on this document ended in October 2011 and a finalised version is expected in April 2012. In advance of the final NPPF, we have produced a draft publication version (Reg 27) of the DPD, but we can not confirm that it is consistent with the NPPF until this is finalised. Therefore a number of policies are highlighted, and are summarised in this covering report, where consistency with the NPPF will need to be confirmed post April. A formal decision on the direction of these policies will be made through Cabinet and Council in July.

There are two sites (Land West of Blighs Meadow and Swanley Town Centre) which will be updated post April, where the Council is currently working with site promoters to finalise the allocations. There is also one new site (Bovis Manor House, New Ash Green) that is considered to be suitable for inclusion as a new residential site allocation. In addition, different land use for allocations are proposed on several sites that were included in the 2010 consultation. A supplementary consultation (Reg 25) on these new/amended sites is proposed, before the pre-submission version is finalised. This can be undertaken in line with the current LDS programme (see programme at para. 5)

The report is accompanied by supporting assessments - an Interim Sustainability Assessment, an Equalities Impact Assessment and a statement of consultation.

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This report supports all the key aims of the Community Plan

Portfolio Holder      Cllr. Mrs Davison

Head of Service      Head of Development Services – Mr Jim Kehoe

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**Recommendation:**

That progress on the Allocations and Development Management DPD is noted and supported and the supplementary consultation on the new/amended site allocations is agreed.

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**Reason for recommendation:** To help ensure that a sound Allocations and Development Management DPD is produced.

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**Background**

- 1      The Allocations and Development Management (ADM) DPD contains proposals for the development of key sites and detailed development management policies which, in combination with Core Strategy policies, will provide the framework against which future development proposals will be assessed and determined. The ADM DPD is required to be consistent with the adopted Core Strategy and in general conformity with national planning policy. Once the ADM DPD is adopted, together with the Core Strategy, it will replace all of the remaining saved policies of the Sevenoaks District Local Plan. The draft document can be taken into account in determining planning applications, but is only afforded limited weight at this stage, until it has been externally examined and adopted. The document is provided at **Appendix 1** (note that appendices 4 and 5 of Appendix 1 have been electronically published but do not appear on the paper agenda copy).
  
- 2      Separate consultation has taken place on draft proposals for site allocations, development management policies and open space allocations:
  - January - March 2010 – Allocations (Options) consultation took place
  - May – August 2011 – Development Management Policies consultation took place
  - September – November 2011 – Open Space Allocations consultation took place
  
- 3      A report was considered by LDFAG in December 2011 / ESC in January 2012, which outlined that there are significant external factors that are currently affecting our ability to finalise this document for approval, namely the awaited publication of the NPPF and a limited number of unresolved issues with some key development sites identified in the Core Strategy. Paragraph 12 of these earlier reports identified scope for bringing forward a draft document in advance of the final version for consideration by Members but on the understanding that some aspects may be unfinished or subject to change. The advantage of this approach is to enable Members to consider informally aspects of the final plan, particularly

changes in response to representations. This report now provides the draft documents.

- 4 Work has advanced to the stage where a draft pre-submission version of the document has been produced, combining the site allocations and development management policies into one document. The results of the open spaces consultation are also integrated within this document. The DPD is supported by an updated interim sustainability appraisal, an equalities impact assessment and a statement incorporating formal responses to consultation comments. These documents are provided at **Appendices 2, 3 and 4**) (note all these appendices have been electronically published but do not appear on the paper agenda copy).
  
- 5 It is proposed that a supplementary (Reg 25) consultation is conducted on the new site that is considered to be suitable for inclusion in the document, in addition to the sites where the site allocation now proposes an alternative land use to that outlined in the 2010 consultation. This consultation on new/amended sites can take place before the pre-submission version (Reg 27) is finalised (six weeks in April/May 2012). This fits with the adopted Local Development Scheme, which outlines that the finalised DPD is to be submitted for committee approval in July 2012 and Pre-submission publication in September-October 2012. This supplementary consultation is considered necessary to ensure that the pre-submission publication version is a “sound” plan. It will be a short targeted consultation period, focusing on statutory consultees and those on the LDF mailing list. The consultation document is attached at **Appendix 5**.

Date	Stage
April / May 2012	Supplementary consultation on new/amended sites (Reg 25)
April 2012	National Planning Policy Framework Publication
June / July 2012	Committee / Cabinet sign-off of pre-submission plan
September / October 2012	Pre-submission publication consultation (Reg 27)
January 2013	Submission (Reg 30)
May 2013	Independent Hearing - 'Examination'
August 2013	Inspectors Report
October 2013	Adoption

## Site Allocations – Update

6 The Site Allocations were originally subject to consultation in February 2010. In the interim two years, five of the sites have since gained planning permission of which two have been built out. Therefore, these sites have been removed from the document and added to the housing land supply (if residential sites). These sites are listed below:

- St Bartholomew's Laundry, Swanley – completed
- Waitrose, High Street, Sevenoaks – completed
- West Kent Cold Store, Rye Lane – in progress
- 31-37 Park Lane, Kemsing – planning permission granted
- Police Station, Morewood Close, Sevenoaks – planning permission granted

Housing Policy H1 states that the Council supports the implementation of existing residential planning permissions that have been granted on sites within the District.

7 There are three sites that were included in the February 2010 consultation, but have now been removed from the current draft, for various other reasons, including deliverability and suitability. These sites are set out below and the consultation schedules provide further information:

- Byways and Hejmo, Birchwood Park Avenue, Swanley - not considered to be sufficiently deliverable, as not being promoted for development. Appeal for care home on site recently dismissed (draft allocation was for 4 units)
- Land at Cedar Drive, Edenbridge – propose to maintain land as open space (existing EN9 designation) (draft allocation was for 7 units)
- Field South of Moat Cottage, Station Road, Otford – allocation considered to be incompatible with archaeological / heritage designations on the site (draft allocation was for 9 units)

8 There is one new site proposed (Bovis Manor House, New Ash Green) that is considered to be suitable for inclusion as a new residential site allocation, and eight sites that were previously allocated for a different use within the draft document. These sites are listed below and further information on each site is set out in the consultation document at **Appendix 5**.

New site:

- Bovis Manor House site, New Ash Green (proposed for residential)

The Council was approached by Bovis in December 2011 who are intending to relocate their operations elsewhere within the District, in a more sustainable location. The site contains the existing Bovis office which incorporates a listed buildings ('The Manor House'), open space and trees. It is surrounded by residential development and is in close proximity to the village centre. There is no land use allocation on the site at present and the site has not been identified as a protected employment site in the Council's Employment Land Review (ELR) 2007. The site is therefore considered to be more suitable to be allocated for residential development, due to its location and surrounding uses. Small scale employment space will be re-provided in New Ash Green village centre as part of the wider

regeneration scheme, which is considered a more appropriate location for business use. The proposal is to allocate the Manor House site for residential development, including restoring the listed building to its original residential use.

Sites where a different use is proposed (from the 2010 consultation):

Site Location	2010 Draft Allocation	Proposed Allocated Use
Currant Hill Allotments, Westerham	Allotments (with reference that any future development would require replacement allotments)	Residential, with allotment re-provision on adjacent site
Leigh's Builders Yard, Edenbridge	Employment (vacant builders yard)	Residential
Station Approach, Edenbridge	Employment (builders merchants)	Mixed use – employment and residential
GSK, Leigh	'Major Developed Site' (Vacant employment site)	Residential with limited retained employment
Warren Court Farm, Halstead	Employment (offices and workshops)	Residential (including Green Belt amendment)
Land rear of Premier Inn, Swanley	Allocated for Residential	Employment site
Broom Hill, Swanley	Allocated for Employment and open space	Employment, open space and residential
United House, Swanley	Allocated for mixed-use – employment & residential	Residential

The proposal is to conduct a supplementary consultation on the above sites to ensure that relevant consultees are fully aware of the new proposals on these allocated sites. The proposed consultation document is attached at **Appendix 5**, which explains the reasons for the change in allocation or inclusion of new proposals, for each of the above sites.

- 9 In relation to the sites that have been carried through from the 2010 consultation document, these have now been categorised as either 'residential', 'employment' or 'mixed-use' sites. Further details and design guidance have been provided on the residential site pro formas, including site maps and photographs. In relation to the employment sites, these are all existing sites to be retained, including the Major Developed Sites (MDS) and therefore detailed design guidance has not been provided. The only exception to this is Broom Hill in Swanley, which is a proposed new employment site, and design guidance has been drafted.
- 10 The previous draft included a category of site described as 'Areas of Opportunity'. These sites have now either been re-categorised as 'mixed use' sites (Land West of Bligh's meadow, Sevenoaks, Post Office/BT exchange, Sevenoaks, Land East of High Street, Sevenoaks and Swanley Town Centre), 'residential sites' (Land at

Croft Road, Westerham and Currant Hill Allotment, Westerham) or have been built out in the case of Waitrose, Sevenoaks.

11 The proposed number of housing units from residential and mixed use development allocations is set out below (with a comparison to the number of units indicated in the 2010 consultation draft), together with a summary of the housing supply components. There are several sites where the number of units proposed has changed significantly since the previous 2010 consultation, which are described briefly below. Further information on these sites can be found at the Appendix 3 of the DPD and in the consultation response schedules:

- Sevenoaks Gasholder Station, Cramptons Road – the site capacity has been reduced by 13 units due to the exclusion of the tenanted dwelling at the north-east corner of the site from the allocation.
- School House and Johnsons, Oak Lane & Hopgarden Lane - the site capacity has been reduced for both these sites (School House reduced by 18 units and Johnsons by 16 units) in order to better reflect the character and density of the neighbouring area and to reflect the site constraints, such as TPO trees, topography and open space. The design guidance in the allocation now suggests conversion of the existing buildings or replacement on a similar footprint, and a small number of units (4-6) at the lower end of the site.
- United House, Goldsel Road - the site capacity has been increased by 134 units as a result of boundary amendment, the proposal to allocate the site purely for residential (rather than mixed use) and works/evidence presented by the owner to show how key constraints have been overcome. Further details are shown at Appendix 5 of this report, as this site will be subject to supplementary consultation due to the scale of this proposed change.
- Bus Garage/Kingdom Hall, London Road – the site capacity has been increased by 10 units due to an extension of the boundary of the site, to now include the adjacent Kingdom Hall site.
- Land West of Cherry Avenue - the site capacity has been reduced by 25 units due to the allocation of a greater proportion of the site as open space, to provide a greater buffer zone to the adjacent A20 and provide an area of useable open space for the local community.

PROPOSED HOUSING ALLOCATIONS (POLICY H1)			
REF	RESIDENTIAL DEVELOPMENT SETTLEMENT/SITE ADDRESS	APPROXIMATE NO. UNITS	2010 CONSULTN
Sevenoaks Urban Area			
H1(a)	Car Park, Hitchen Hatch Lane	17	10
H1(b)	Cramptons Road Water Works, Cramptons Road	50	55
H1(c)	Sevenoaks Gasholder Station, Cramptons Road	35	48
H1(d)	School House, Oak Lane & Hopgarden Lane	19	37

H1(e)	Johnsons, Oak Lane & Hopgarden Lane	18	34
H1 (f)	Greatness Mill, Mill Lane	20	20
	Sub Total	159	204
	Swanley		
H1(g)	United House, Goldsel Road	250	116
H1(h)	Bevan Place	46	52
H1(i)	Bus Garage/Kingdom Hall, London Road	30	20
H1(j)	Land West of Cherry Avenue	50	75
	Sub Total	376	263
	Other Settlements		
H1(k)	West Kingsdown Industrial Estate, London Road.	TBC	14
H1(l)	57 Top Dartford Road, Hextable	14	14
H1(m)	Foxs Garage, London Road, Badgers Mount	15	18
H1(n)	Land adjacent to London Road, Westerham	30	30
H1(o)	Currant Hill Allotments, Westerham	20	n/a
H1(p)	Land at Croft Road, Westerham	15	19
H1(q)	Land rear of Garden Cottages, Leigh	13	13
H1(r)	The Manor House, New Ash Green	50	n/a
H1(s)	Leigh's Builders Yard, Edenbridge	13	n/a
H1 (t)	Warren Court, Halstead	13	n/a
	Sub Total	183	108
	TOTAL	718	575

PROPOSED UNITS FROM MIXED USE ALLOCATIONS (POLICY H2)			
REF	MIXED USE DEVELOPMENT SETTLEMENT/SITE ADDRESS	INDICATIVE SITE CAPACITY NO. UNITS	2010 CONSULTN
H2(a)	Land West of Bligh's Meadow, Sevenoaks	TBC	59
H2(b)	Post Office/Bt Exchange, South Park, Sevenoaks	30	n/a
H2(c)	Land East of High Street, Sevenoaks	TBC	n/a
H2(d)	Swanley Centre, Nightingale Wav, Swanley	TBC	128
H2(e)	Station Approach, Edenbridge	20	n/a
H2(f)	New Ash Green Village Centre, New Ash Green	50	50
H2(g)	Powder Mills (Former GSK Site), Leigh	100	n/a
EMP2	Broom Hill, Swanley	30	n/a
	TOTAL	230	237

Summary of Housing Supply Components as at 1 April 2011	No. of units
Completions 2006 – 2011 (see Annual Monitoring Report, Dec 2011)	1,186
Permissions (at 01.04.2011) (see AMR, Dec 2011)	1,120
Windfall Allowance Small Sites 2022 – 2026 (see AMR, Dec 2011)	350
Proposed Housing Allocations (See Policy H1 table above)	718
Proposed units from Mixed Use Allocations (See Policy H2 table above)	230
<b>TOTAL</b>	<b>3,604</b>

- 12 There are two sites (Swanley Town Centre and Land West of Blighs Meadow, Sevenoaks) which will be updated post April, where the Council is currently working with site promoters to finalise the allocations. The site allocations proforma and housing figures are therefore currently shown as blank for these two sites, which both fall within the mixed use section of the document. Further details on progress on the two sites is outlined below:
- Swanley Town Centre. Regeneration of the town centre is a key proposal of the Core Strategy. Discussions have taken place with the owner and town council which should lead to firmer proposals coming forward in March/April 2012. These will need to be considered and be subject to wider engagement
  - Land West of Blighs Meadow, Sevenoaks. This is identified as a key development site in the Core Strategy. The site allocations consultation is based on the Planning Brief proposal for mixed use development including 59 dwellings but a final decision has yet to be made on whether to take forward the Planning Brief proposals.

### **Development Management Policies - Update**

- 13 Consultation was undertaken on the Draft Development Management Policies in May-August 2011. These are the policies against which planning applications will be determined and will replace the remaining “saved” Local Plan policies. Comments received from the consultation round were reported to LDFAG in September 2011.
- 14 There were a number of comments suggesting that the document should be updated to further reflect the principles set out in the draft National Planning Policy Framework (NPPF), highlighting presumption in favour of sustainable development and positive planning. The document has been revised to reflect this presumption and more positive approach to planning and a number of policies are highlighted (in *italics* in the ADM DPD), which will be finalised once the NPPF has been published in its final form.



- 15 The Development Management policies have now been combined with the Site Allocations document, to produce the draft Allocations and Development Management Development Plan Document (ADM DPD).
- 16 A number of policies generated a high level of comment. Consultation sessions were arranged with a wide range of stakeholders to discuss their views:
- A. Agents Forum (13/06/11)
  - B. Town and Parish Council Briefing (16/06/11)
  - C. Green Infrastructure workshop (27/06/11)
  - D. Four Public Drop in Sessions (16/06/11 & 17/06/11 & 20/06/11 & 11/07/11)
  - E. Post-consultation Councillor Briefing (focus on green belt policies) (21/09/11)
- 17 The draft policies that generated the greatest level of comment and objection related to extensions to residential properties in the Green Belt (Policies H4 and H5). Areas of comment included:
- Each development should be treated on its individual merits
  - Concern that by introducing a limit, people build to that limit
  - Basements below ground should not be included as have no impact
  - Floor area preferred to volume for calculation as volume can distort design
  - Volume more complicated to calculate/assess than floor area
  - Need to introduce height restriction
  - Objection to the reduction in percentage size (50% to 30%). Considered 'too drastic'.
  - Confusing, keep existing policy
  - Non habitable floorspace (e.g. roof space) should be excluded
  - Potential to remove permitted development rights
- 18 Further to the comments received and meetings outlined above with councillors and stakeholders, these policies have been revised. The draft policies now retain a floorspace (rather than volume) limit calculation, in conjunction with qualitative assessment criteria related to the scale and bulk of the resultant building, to capture the impact of the development on the Green Belt. Although a volume-based policy was considered to accurately reflect the impact of a proposal on the green belt, the practical problems of calculations when tested against real life examples, were considered to be prohibitive. The draft policies also retain a 50% floorspace figure, in that the size of any extension/replacement dwelling in the

Green Belt, should not result in an increase of more than 50% above the floorspace of the original dwelling. This is as per the existing saved Local Plan policy, as the consultation feedback suggested that reducing this figure to 30% volume was too restrictive. There was also some debate during the consultation about whether the percentage figure should be removed from the policy, suggesting that this would increase flexibility and the opportunity to assess each development on its merits. However, it is held that the inclusion of a percentage figure in the policy provides a useful level of guidance for both those submitting and assessing development proposals. The policy makes it clear that the percentage criteria is considered to be secondary to good design and proposals that comply with the 50% rule will not necessarily be approved if the extension is poorly designed or overly intrusive in the Green Belt.

- 19 Separate green belt policies have also been drafted on basements (H6), outbuildings (H7) and 'very special circumstances' dwellings (H8) in order to provide further guidance in these areas. A Green Belt SPD will also be produced to assist the implementation of these policies.
- 20 The Core Strategy established that Green Belt land was not required to meet the Council's development needs up to 2026. However, in line with paragraph 4.1.17 of the Core Strategy the Council has undertaken a detailed review of the District's Green Belt boundary and provided opportunity for land owners to promote examples of anomalies where it was felt that the land no longer contributed to Green Belt openness and where exceptional circumstances exist that would justify an amendment to the settlement boundary. The Council considered all of the representations received during the consultation stages (see Development Management response schedule under 'Minor GB Boundary Amendments' and Allocations response schedule under Housing) and deemed that there is one instance of a site demonstrating exceptional circumstances that warrants a minor amendment of the green belt boundary.
- 21 The Council has proposed that this existing employment allocation in the Green Belt (Warren Court Farm, Halstead), which was previously identified for further employment development, to be reallocated for residential development, with a concurrent amendment of the green belt boundary to bring this site within the village envelope. The decision was based on the fact that the revised allocation would result in the regeneration of an existing poor quality commercial site without having an adverse impact upon the character and openness of the Green belt. The level of built development on the site, its location adjacent to the village envelope and its poor environmental quality, combined with the fact that the site is an anomaly being the only allocated employment site in the greenbelt (except for designated Major Developed Sites), all contribute to the exceptional circumstances that justify an amendment to the settlement boundary. Further details on this site, including the amended green belt boundary, are included within the allocation at Appendix 3 of the ADM DPD.
- 22 In relation to other areas of change from the consultation draft, additional key areas are summarised below:
  - A. An additional criterion has been added to Policy SC1 (Sustainable Development), having regard to the impact of development on infrastructure.

- B. Policy SC2 (Design Principles) now references the efficient use of land and inclusion of infrastructure within development to meet modern communication and technology requirements
- C. A new policy (SC4) has been inserted on Crime and Disorder, responding to concerns raised by Kent Police that planning applications should result in a safe and secure environment
- D. The policy on the Re-use of redundant school buildings (SC5) includes a reference to the potential re-use of these buildings for care homes/sheltered housing. Policy (SC6) on the Re-use of school playing fields has been moved to this chapter.
- E. Policy EEC2 (Noise pollution) references areas of biodiversity value in addition to AONB
- F. Policy HA1 (Heritage Assets) now includes criteria against which applications which affect heritage assets will be assessed
- G. It has been clarified that Policy GB1 refers to the Re-use of *Non Residential* buildings within the Green Belt. In relation to the draft policy requirement to maintain at least 75% of the original structure, this has now been moved to the supporting text, which suggests this should be viewed as a starting point for proposals, but there may be instances where a lesser proportion may be appropriate. Caveats have also been added to this policy in relation to recently constructed agricultural buildings and future proposals for agricultural buildings, where re-use for other purposes has recently been permitted.
- H. New policies H1 (Residential Development) and H2 (Mixed Use Development) list the site allocations for housing and mixed use schemes, which are described in further detail of Appendix 3 of the DPD.
- I. It has been clarified that Policy H3 refers to Residential sub-division and an additional criteria has been inserted in relation to parking and access arrangements.
- J. Policies H4-H8 (residential development in the Green Belt) are covered in section 19 above.
- K. The Policy on New Residential Care Homes (previously Policy H5) has been deleted since it was worded as a negative policy that sought to restrict the location of these uses. The Council strongly supports the provision of housing to meet the requirements of people in special need of help or supervision where they are fully integrated into existing communities and located in sustainable locations. The housing allocations proforma at Appendix 3 of the DPD now identify sites that are particularly suitable for housing specifically designed for older people (including those with special needs).
- L. A caveat has been added to Policy H10 (Siting of caravans and mobile homes) that planning conditions will be used to ensure they are removed when no longer required for agricultural/forestry purposes.

- M. Policy T2 (Vehicle Parking) now also refers to cycle parking. The policy now provides more flexibility as it states that the Council may depart from established minimum/maximum standards to take account of local circumstances, such as accessibility, highways safety and on-street parking issues.
- N. New Policy GI2 (Open Spaces) has been inserted to identify the open space sites, above 0.2 ha within the urban confines of towns and villages, which are shown on the site maps and schedule in Appendix 5. These sites are allocated for Green Infrastructure, Open Space, Sport or Recreation. All open space of value to the local community is protected for these uses in accordance with Core Strategy policies SP10, SP11 and LO8 and Development Management policies GI1 and SC2.
- O. Policy EMP1 (Land of Business) identifies the existing sites that are allocated for employment purposes. Boundary plans and photographs of these sites are included in Appendix 3 of the DPD.
- P. New Policy EMP2 (Broom Hill) outlines the allocation for employment-led, mixed use development at Broom Hill in Swanley. The site was previously allocated for employment use in the Sevenoaks District Local Plan and established for future employment allocation through the adopted Core Strategy (2011). Whilst the principle of development on this site has already been established, this policy and site allocation (in Appendix 3 of the DPD) relate to the detail of the allocation. The allocation proposes a comprehensively planned mixed use development (employment, open space and housing).
- Q. New Policy EMP3 (Non Allocated Employment Sites) is related to Core Strategy Policy SP8 and acts as a supplementary development management policy to cover non-allocated employment sites. Where redevelopment of these sites for other uses is proposed, this policy presents a lesser test in comparison to SP8, in that it requires applicants to demonstrate that the site has been unsuccessfully marketed for re-use in employment for a period of at least 6 months and that there is no longer a demand for business. SP8 (in relation to allocated employment sites) requires applicants to demonstrate that the site is no longer required for the rest of the plan period (to 2026).
- R. New Policy LC6 (Out of Centre Retail) has been inserted, in case existing national policies in PPS4 are not carried across into the final version of the National Planning Policy Framework. PPS4 outlines a 'sequential' test for the location of retail uses, in that town centre locations should be considered first, then edge of centre and only then should out of centre locations be considered. PPS4 also outlines an 'impact' assessment, where retail applications need to be considered in relation to their impacts on existing town centres and allocated sites. Policy LC6 addresses these requirements.
- S. Policy LT3 (Equestrian Development) has been expanded to make it clear that this policy applies to all equestrian buildings and facilities. It additionally clarifies that equestrian buildings should be closely related to existing groups of buildings, should not harm the amenity of surrounding residents and should be in areas with sufficient grazing and off-road riding areas.

- 23 All the DPD policies will be reviewed post-April to ensure consistency with the finalised National Planning Policy Framework (NPPF). The draft NPPF proposed restrictions on the long-term protection of employment land, presented a more flexible retail location policy, removed the definition of Major Developed Sites in the Green Belt and has instead set out that the replacement of any *building* (regardless of its use) in the Green Belt is appropriate development, provided the new building is not materially larger than the one it replaces. It has also proposed the allocation of 'local green spaces' by local communities.
- 24 A final Sustainability Appraisal (SA) will also be conducted on the allocated sites and policies once these have been finalised for pre-submission consultation. This will build on the SA that were conducted at previous consultation stages and the interim SA which is attached at Appendix 2 to this report.

### **Open Space Allocations – Update**

- 25 A consultation was undertaken on the proposed Open Space Allocations in September-November 2011. 38 consultees responded to this consultation outlining a number of additional sites which were requested to be designated as protected open space. In addition, a small number of sites were proposed by consultees as being suitable for release from open space protection. The Council's proposed response to these comments is outlined in the response schedules and the draft policies have been revised to incorporate relevant amendments.
- 26 The draft NPPF supports the idea that local communities should be able to identify for special protection green areas of particular importance to them. By designating land as 'Local Green Space', local communities will be able to protect land from new development other than in exceptional circumstances. Where appropriate, the District Council will support communities in designating Local Green Space via Neighbourhood Planning.

### **Planning for Gypsies and Travellers**

- 27 The Government consulted last year on a revised planning policy statement on "Planning for Traveller Sites" which it intends to include in the NPPF. The draft document encourages councils to assess local needs and make future provision based on need and historic demand. An updated local needs assessment for the District has just been completed. As referenced in the report to LDFAG in December 2011 / ESC in January 2012, it is proposed to bring forward a separate Gypsies and Travellers DPD to identify sites for future provision, which will be prepared in 2012.

### **Conclusion and Next Steps**

- 28 The draft DPD has been produced in advance of the final version for consideration by Members but on the understanding that some aspects may be subject to change, in relation to the finalisation of the NPPF and progress on allocated site. The report enables Members to consider informally aspects of the final plan, particularly changes in response to consultee representations.

- 29 It is recommended that the revised Allocations and Development Management DPD be noted and the supplementary consultation on the new/amended sites be conducted before pre-submission publication.
- 30 The Local Development Scheme (LDS) programme outlines that the finalised document will be reported back to committee in July 2012, with pre-submission publication in September/October 2012. The document will then be subject to independent examination to confirm the soundness of the plan.

### Options

- 31 The options are to agree, vary or reject the proposals for the supplementary consultation. It is considered that it is appropriate to undertake this consultation in order to achieve a sound document. Amendments can also be made to the draft ADM DPD. The document is considered appropriate to assist in achieving the detailed objectives of the Core Strategy.

### Key Implications

#### Financial

Budgetary provision has been made for the cost involved in preparing the Allocations and Development Management DPD. Combining the Allocations and development policies into one document will achieve a significant budget saving in publication and examination costs compared with maintaining two separate DPDs.

#### Community Impact and Outcomes, Equality and Sustainability Impacts

These issues are addressed in the preparation of the documents concerned.

The Council has undertaken Sustainability Appraisal (SA) of the draft sites and policies, which have been published alongside the consultation documents, to ensure that the decision-making process takes into account the Government's key objective of Sustainable Development. An Interim SA is provided as **Appendix 2** to this report. The purpose of this document is to appraise a number of alternative approaches to Site Allocations and Development Management Policies that have emerged (subsequent to previous iterations of the policies). The appraisal findings from this SA have informed the preparation of the pre-submission publication plan.

The Council has undertaken an Equalities Impact Assessment (EQIA) of the draft ADM DPD, to ensure that the decision-making process takes into account equalities issues. The EQIA is provided as **Appendix 3** to this report. The EQIA assesses if there is anything in the policy document that could discriminate or put anyone at a disadvantage, particularly in relation to hard to reach groups. The EQIA concludes that the ADM DPD does not have a differential impact which will adversely affect any groups in the community.

#### Legal, Human Rights etc.

The preparation of an LDF is a requirement under planning legislation. The adopted Allocations and Development Management DPD will form part of the "Development Plan" and has special status in the determination of planning applications. Production of DPDs

is in accordance with the Town and Country Planning Local Development (England) Regulations 2004 (as amended).

### **Risk Assessment**

LDF documents are subject to independent examination and the principal risk involved with their preparation is that the examination finds the document to be unsound. The Allocations and Development Management DPD must be in accordance with the Core Strategy and other parts of the development plan and national planning guidance. As the National Planning Policy Framework (NPPF) is currently in draft format, to be finalised by April 2012, the LDS timetable and publication of this document have been adjusted accordingly, to ensure that the ADM DPD will be in conformity with the final NPPF. The document will progress to publication in which the Council will be required to meet the requirements as set out in the Town and Country Planning Local Development (England) Regulations, at which time it will formally seek the views of key stakeholders in accordance with the Council's Statement of Community Involvement.

### **Appendices**

- 1 Draft Allocations and Development Management DPD
- 2 Interim Sustainability Assessment
- 3 Equalities Impact Assessment
- 4 Statement of Consultation
- 5 Supplementary consultation document 2012

### **Background Papers:**

- Core Strategy, adopted February 2011
- Allocations DPD (Options) February 2010
- Development Management Draft Policies for Consultation May 2011
- Open Space Allocations Consultation September 2011

### **Contact Officer(s):**

Hannah Gooden Ext 7189

**Kristen Paterson**  
**Community and Planning Services Director**