

### Planning overview

- 17.1 The Donaldsons Planning, Regeneration and Compensation team was appointed, in association with PMP, to advise on the implications for the development of planning policies on open space, sport and recreation within the emerging Local Development Framework (LDF) and on recommendations for securing Section 106 developer contributions.
- 17.2 This section provides a summary of the findings. The full ‘Planning Overview’ report can be found in Appendix K.
- 17.3 The intention of this planning overview is to provide initial advice and to scope the key planning issues and respond to the following points:
- comment on existing Unitary Deposit Plan (UDP) policy and the emerging Local Development Framework;
  - review the Urban Capacity Study and outline population projections to 2016; and
  - analyse and comment on Open Space Supplementary Planning Guidance produced by other Local Authorities.

### Key planning policy framework

- 17.4 The companion guide to PPG17 ‘Assessing Needs and Opportunities’ illustrates 5 steps which should be addressed when undertaking open space, sport and recreation assessments and audits. Step 5 provides guidance as to drafting planning policies. When considering planning policies, the Companion Guide suggests that four strategic options should be identified:
1. existing provision to be protected;
  2. existing provision to be enhanced;
  3. areas in which new provision is required; and
  4. opportunities for new, enhanced or relocated provision.

The Companion Guide also suggests a fifth component – land or facilities which are surplus to requirements and therefore no longer needed.

- 17.5 Turning to drafting policy, the Companion Guide suggests that policy should:
- protect or enhance existing open spaces or sport and recreational facilities of value (or potential value) to the local community;
  - re-locate poorly located but necessary open spaces or sport and recreation facilities;
  - address circumstances in which the planning authority may allow the redevelopment of an existing open space or sport and recreation facility;
  - require new provision to fill identified gaps in existing provision; and
  - address additional on-site or off-site provision as a consequence of new developments, together with how the authority will assess any related commuted maintenance or establishment sums.

### **Existing and Emerging Policy**

- 17.6 The government's Planning and Compulsory Bill has now completed its passage through the Palace of Westminster and received Royal Assent on 13 May 2004. The Act will come into force via a commencement order two months after Royal Assent. In other words, the legislation will formally commence in mid-July.
- 17.7 The Bill sets out to reform the planning system and includes the introduction of overarching Local Development Frameworks (LDFs) which will consist of a portfolio of Local Development Documents (LDDs). There will be three types of LDDs, namely, Development Plan Documents (DPDs) to replace local plans and unitary development plans, Supplementary Planning Documents (SPDs) to replace SPGs and Statements of Community Involvement (SCIs). Local Authorities will also need to produce Annual Monitoring Reports (AMRs).
- 17.8 Under the new Act, therefore, Local Development Frameworks (LDFs) will replace the existing system of Local, Structure and Unitary Development Plans. Local authorities are required to have adopted LDFs in place three years after commencement of the Act.
- 17.9 Harborough District Council has prepared a draft Local Development Scheme (LDS) which sets out what documents the Council is proposing to produce and when. The LDS also indicates at what stage the public can be expected to be involved in the planning process.
- 17.10 The LDS sets out those policies of the adopted Local Plan that will be 'saved' and therefore will still form part of the development plan for the area over the next 3 years. The Council has indicated that initially, it is intended that all the policies within the adopted Harborough District Local Plan (1991 – 2006) will be saved until its expiry in March 2006. The Council has also indicated that as the new LDDs are produced, the LDS will be revised to indicate which policies in the existing plan have been superseded by new policies contained within LDDs.
- 17.11 It is understood that the Council has resolved that the following documents will be prepared as part of the LDF over the next 3 years:
- Statement of Community Involvement;
  - Core Strategy Development Plan Document;
  - Housing Development Plan Document;
  - Proposals Map; and
  - Annual Monitoring Report.
- 17.12 The Council has indicated that existing SPG which is cross-referenced to policy within the adopted Local Plan will be retained until the plan expires in 2006 or such documents are reviewed under the new arrangements. The Council has advised that all existing SPG documents have been subject to public consultation and adoption by the Council. It is important to note that these documents will continue to constitute a 'material consideration' in planning decisions if they are cross-referenced to a policy within the adopted Local plan and if comprehensive consultation has been undertaken, as set out within the SCI in relation to SPD.

17.13 The analysis of existing and emerging policy concluded that:

- consideration should be given to an early review of the adopted SPG with a view to producing a revised SPD which encompasses aspects from the adopted SPD together with current internal documents
- within the emerging planning system, strategic open space policy should be contained within the core strategy of the DPD
- within the emerging planning system, a more detailed policy which addresses open space and new residential development should be contained within the housing DPD
- AAPs will contain focused area assessments in which more specific local requirements may be set
- SPDs provide more detailed policy requirement and ensure a clear framework for developers. SPDs have added flexibility and allow for regular updates and amendments
- in areas of acute deficiency or opportunity and where the private sector is unlikely to be harnessed (through development or section 106) a more proactive approach towards asset disposal should be considered.

### **Urban Capacity Studies and Outline Population Projections**

17.14 Urban Capacity Studies assess supply of housing land and the ability of a district to meet identified housing needs.

17.15 The Harborough Urban Capacity Study identifies the total potential future supply of new housing that is likely to be provided from within the main towns and other significant settlements of the District.

17.16 The number of new dwellings that need to be provided within the District over the period 2006 – 2016 will be determined in the emerging Leicestershire, Leicester and Rutland Structure Plan. The emerging plan states that 7,550 new homes are required in Harborough District between 1996 and 2016.

17.17 The Council has indicated that between 1996 – 2003, 3808 houses have already been built. This leaves a strategic requirement of 3,742 houses between 2003 – 2016. Using the ‘worst case’ scenario under the urban capacity study, 3,946 dwellings can be accommodated within the urban area over the period 2003 – 2016.

17.18 The key issues and themes emerging from the study of the Urban Capacity study and outline population projections are:

- population projections indicate a steady, small increase in population growth within the District between 2001 and 2016.
- policy at a strategic level does not need to take into account anticipated sharp increases in housing provision.

### **Review of open space guidance**

## **SECTION 17 – PLANNING OVERVIEW**

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- 17.19 Supplementary Planning Guidance (SPG) is used to show how policies will be put into practice; gives greater detail on policies and proposals than would be appropriate in the Plan and anticipates guidance, which may be included in a future review of the Plan.
- 17.20 To date, the Government has not provided any statutory procedures for the preparation and adoption of SPG. This will change with the introduction of new planning legislation and Supplementary Planning Documents (SPDs).
- 17.21 A review of Leicester City Council's 'Open Space Provision in New Residential Development' (April 2003) and Cambridge City Council's 'Open Space Standards: Guidance for Interpretation and Implementation' (July 2002) has been undertaken. The Stockport Metropolitan Borough Council's 'Recreational Open Space Provision and Commuted Payments' (February 2001) has also been reviewed. These documents are adopted SPG.
- 17.22 A review has also been undertaken of key guidance produced by both Harrogate Borough Council 'Provision of Open Space in Connection with New Housing Development' (June 2003) and Hinckley and Bosworth Borough Council 'Play and Open Space Guide' (October 2002).
- 17.23 Through the analysis of existing open space guidance, it can be concluded that:
- all new housing developments (even single dwelling developments) should contribute towards open space provision;
  - local standards should be set for different open space typologies
  - consideration should be given to the application of different local standards for urban and rural locations and between areas of over provision and under provision
  - consideration should be given to providing formulas and worked examples within SPD to show the scale of off-site financial contributions;
  - if financial contributions are insufficient to provide new recreation space beyond the ability of individual developments, special area based open space funds should be considered to contribute towards district wide projects. A list of projects and estimated costs contained within the SPD, which can be regularly updated, should be considered.