

Local Development Framework Briefing Paper Devon Structure Plan v Regional Spatial Strategy v Local Development Framework Policy



Devon County Council's advice to Regional Assembly and Local Planning Authorities.

This is one of a series of briefing papers prepared by Devon County Council to assist the preparation of Local Development Documents.

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The attached schedule contains a list of Devon Structure Plan policies, equivalent Policies from the RSS Final Draft April 2006, a commentary on the shortcomings of the RSS Policy in comparison to the Structure Plan, and indication of the policies to be 'save' for an extended period, and issues still be resolved. It also set out the matters to be taken into account in the in the preparation of the LDD.

Regional Assembly is requested to take the following matters into account in preparing their Regional Spatial Strategy and other documents:

- a) **To prevent any void in Strategic Planning Policy by ensuring that the RA extend the period the Devon Structure Plan is 'saved' from October 2007 until such time the RSS is adopted for those Structure Plan Policies identified (see column (d)).**
- b) **To have regard to the Devon County Council comments about the content of the Regional Spatial Strategy (see columns (c) and (e) in Schedule)**

Some of the main issues raised are included in DCC formal response to the RSS

Local Planning Authorities are requested to take the following matters into account in preparing their Local Development Frameworks and other documents:

- a) **To prevent any void in Local Planning Policy and Proposals by ensuring the LPA extend the period of any appropriate Structure Plan policies and proposals that relate to Local Planning issues (see columns (f) and (g) in schedule)**
- b) **Have regard to the adopted Structure Plan Policies and the emerging RSS, in the preparation of the LDFs (see columns (f) and (h) in Schedule). In particular:**
 - **The need for policy consistency, it is suggested local planning authorities should consider the following in their core strategy:**
 - **The self sufficiency of settlements and their longer term role and function**
 - **The allocation of employment land**
 - **The consistency of policies for landscape, built environment and biodiversity – including recognition of Areas of Great Landscape Value (AGLVs) [see briefing papers on landscape and coastal zone policy]**
 - **The degree to which elements of "strategic geography" – landscape, strategic transport/route networks etc should be indicated on the core strategy diagram to show linkages with neighbouring authorities**
 - **Renewable energy proposals and contribution to regional targets**
 - **Affordable housing thresholds and targets and their relationship to housing market areas and sub regional studies**
 - **Detailed transport and demand management measures e.g. parking policy**
 - **The need to incorporate provision for tourism / recreation in terms of protecting and improving public rights of way, cycle networks and open spaces and the recognition of these to the both health and economic benefits.**
 - **Those policies in the draft RSS which are additional to those in the adopted Structure Plan.**

Partnership Working

The Devon County Council wishes to work in partnership with District Councils in further developing the above policy areas with colleagues and would wish to be fully involved in any discussion relating to them.

1. Introduction

This Briefing Paper sets out Devon County Council policy issues that should be taken into account by Local Planning Authorities in preparing their Local Development Frameworks. It has regard to Council's role as s4/4 Authority under the provision of the Planning and Compulsory Purchase Act 2004 and the matters for which the County Council has specific responsibilities and interest.

Under the terms of the Planning and Compulsory Purchase Act, the Devon Structure Plan (adopted in October 2004) has been 'saved' for three years from its date of adoption. The adoption of the revised RSS is not likely before 2008 and the adoption of some LDF until 2009 or 2010. It is important to ensure that the move to the Regional Spatial Strategy and Local Development Frameworks do not lead to any gaps in coverage of development plan policies [More detailed advice on this is set out in PPS11 (para 2.54) and PPS12 para 5.5].

The Regional Assembly is in process of considering the options for extending the 'saving' of Structure Plans beyond October 2007. The results of their deliberations are expected towards the end of June 2006.

This paper, and the accompanying schedule, provides a policy overview that highlights for :

A) Regional Planning Matters

1. The need for "saved" Structure Plan policies and proposals to be extended beyond October 2007, through the regional process, until they are replaced by the Regional Spatial Strategy (when it is adopted in 2008) to avoid any policy void at the regional level.
2. The extent to which Devon Structure Plan¹ policies are incorporated in the Regional Spatial Strategy (RSS)², highlighting the outstanding strategic issues to be raised with the Regional Assembly

b) Local Planning Matters

1. The need to for "saved" Structure Plan policies and proposals to be extended beyond 2007, through the Local Development Scheme, until they are replaced by adopted Development Documents, to avoid any policy void at the local plan / local development framework level
2. The extent to which Structure Plan policies and proposal that need to be included in LDFs to avoid any policy void at the local level.

2. Key Issues to Address

The main issues to be addressed are:

A. Need to prevent any Policy Void

The need to prevent any policy void at the Regional and Local level. The Devon Structure Plan is currently a 'saved' plan until October 2007.

Potential Policy Void 1 (for strategic policies) - In view that the RSS is now unlikely to be adopted until spring 2008, there will be a potential policy void between October 2007 and Spring 2008. It is the responsibility to the RA to extend the 'saving' of relevant Regional Policies.

Potential Policy Void 2 (for those local policies and proposals) In view that the LDD's are now unlikely to be adopted until spring 2008 or later, there may be a potential policy void regarding local policies and proposals currently in the Devon Structure Plan that will need to be taken into account in preparing the LDD. It is the responsibility to the PLA to extend the 'saving' of relevant policies and proposals to prevent a policy void.

¹ Devon Structure Plan 2001 to 2016 (adopted October 2004) published by DCC

² Regional Spatial Strategy (RSS) Final Draft date April 2006, published by the SWRA

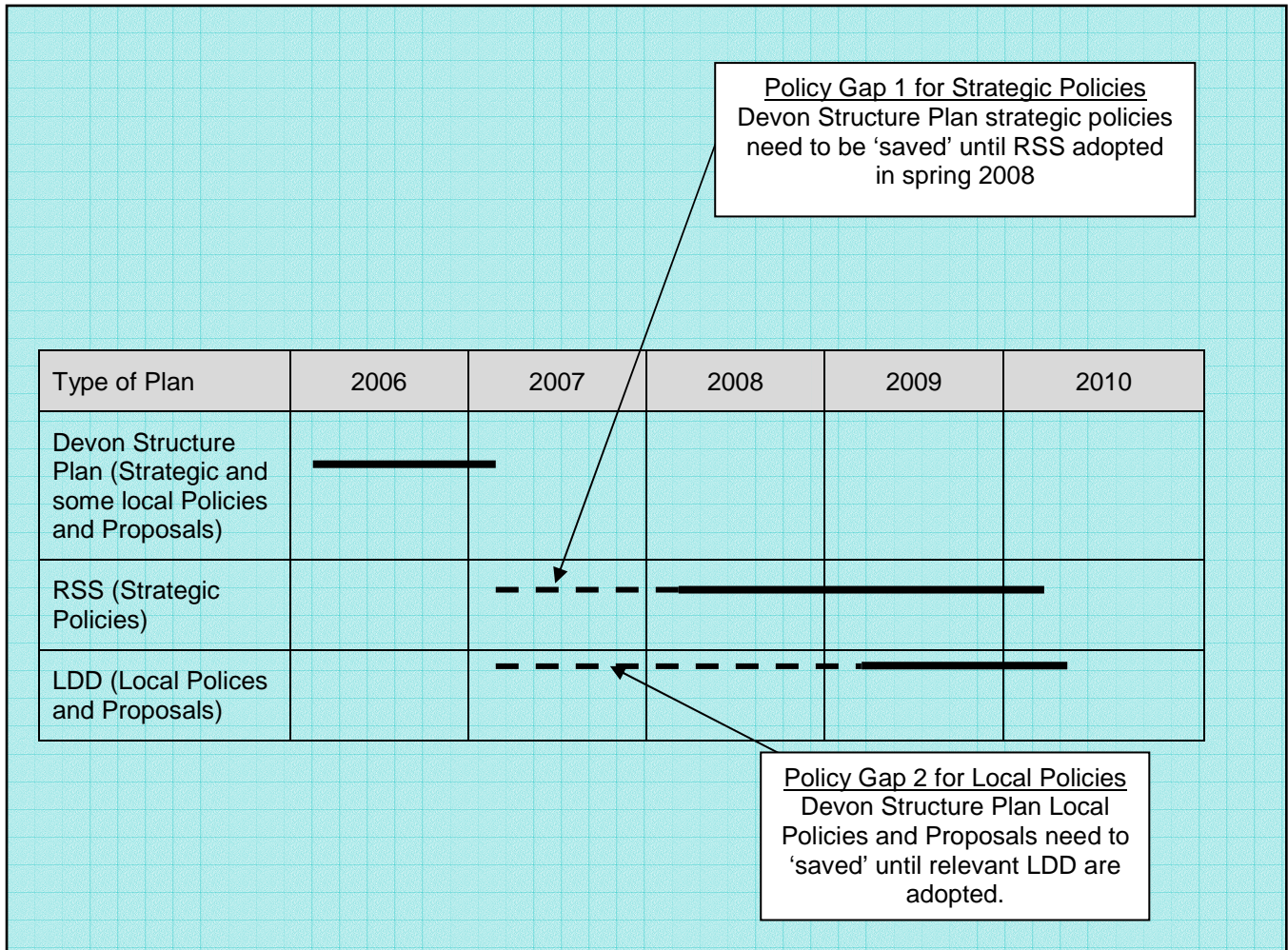


Diagram 1: Illustrating Potential Policy void if the period of the saved Devon Structure Plan is not extended beyond October 2007 by the Regional Assembly and Local Planning Authorities.

B. The need to ensure that relevant Structure Plan Policies and Draft RSS policies are reflected in the RSS and LDD.

Following on from the issues of preventing a policy void, it is also necessary to ensure that the key elements of the adopted policies and proposal of the Devon Structure Plan, which have been evolved over the years, reflecting government and community wishes as a result of public consultation and have been fully tested through formal Examination in Public are carried forward and reflected as appropriate in the South West Regional Spatial Strategy and Local Development Frameworks to avoid any loss of continuum between the various Plans unless there is a valid reason or change in direction that has been formally agreed or adopted.

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