

CABINET	AGENDA ITEM No. 5
7 FEBRUARY 2011	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Marco Cereste, Portfolio Holder for Growth, Strategic Planning and Economic Development	
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**PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH CORE STRATEGY
(VERSION FOR ADOPTION)**

RECOMMENDATIONS	
FROM : Head of Peterborough Delivery Partnership	Deadline date : 23 February 2011
<ol style="list-style-type: none"> 1. That Cabinet notes the conclusions of the independent Inspector who was appointed to examine the council's submitted Core Strategy. 2. That Cabinet recommends to Council the adoption of the Peterborough Core Strategy, incorporating changes as recommended by the Inspector. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following Council's decision on 2 December 2009 to approve the Peterborough Core Strategy (Proposed Submission Version) for the purposes of public consultation and submission to the Secretary of State. Such consultation has taken place and the plan was submitted to the Secretary of State. Subsequently, an independent Inspector appointed by the Secretary of State has sent her report to the Chief Executive setting out her conclusions on the Core Strategy.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to set out the recommendations made by the independent Inspector and, subsequently, seek Cabinet's approval to recommend the Core Strategy to Council for adoption.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1, to take collective responsibility for the delivery of all strategic Executive functions within the Council's Major Policy and Budget Framework and lead the Council's overall improvement programmes to deliver excellent services.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	YES	If Yes, date for relevant Cabinet Meeting	7 February 2011
Date for relevant Council meeting	23 February 2011	Date for submission to Government Dept	N/A

4. PETERBOROUGH CORE STRATEGY – THE INSPECTOR’S REPORT AND THE CORE STRATEGY RECOMMENDED FOR ADOPTION

Introduction

- 4.1 The preparation of the Peterborough Core Strategy has reached its final stage. Following considerable public consultation, over many years, we have now reached the stage where Council has to decide whether to adopt the Core Strategy as part of its major policy framework.
- 4.2 Cabinet will recall that on 12 October 2009, the ‘submission’ version was considered by Cabinet before subsequently considered and approved by Council on 2 December 2009. That approval set in motion two key events:
- (i) the issuing of the Core Strategy for its final public consultation stage (January-March 2010); and
 - (ii) the ‘examination’ of the Core Strategy by an Independent Inspector appointed by the Secretary of State (summer-autumn 2010), and the subsequent issuing of an ‘Inspector’s Report’ (January 2011) setting out her recommendations for changes to the Core Strategy.

Content of Core Strategy

- 4.3 Before coming to the Inspector’s findings and recommendations, Cabinet may wish to remind themselves as to the purpose, content and status of the Core Strategy. If adopted, it will become part of the statutory development plan, and, as such, will be part of the Council’s major policy framework. It will be one of the documents that will gradually replace the existing Peterborough Local Plan (2006), complemented by a suite of other documents (such as the Site Allocations Document) that together comprise the LDF.
- 4.4 The Core Strategy sets out the vision, objectives and overall strategy for the development of Peterborough up to 2026, together with a limited number of policies that are core to achieving or delivering that strategy. It reflects the Sustainable Community Strategy for Peterborough, with consistency of vision and priorities, demonstrating how the spatial elements of that Strategy will be delivered.
- 4.5 Although the Core Strategy is accompanied by a key diagram which shows pictorially some of the key elements of the development strategy, it does not have a proposals map drawn on an Ordnance Survey base. This is because the details of site boundaries (for example, the allocation of specific parcels of land for particular forms of development, or the specific boundaries of areas in which a planning policy might apply) are matters for other documents in the LDF (such as the Site Allocations Document), which are in themselves well advanced but must await the adoption of the Core Strategy.
- 4.6 The Core Strategy sets out the blueprint for the future of Peterborough. It aims to deliver 25,500 new homes and 24,600 new jobs, but also sets crucial policy on matters such as affordable housing, environmentally friendly building and broad locations for new major development (for homes, jobs, retail and other matters).

The Inspector’s Role and the ‘Inspector’s Report’

- 4.7 Government regulations stipulate that an Inspector must be appointed by the Secretary of State to undertake an ‘Examination’ of a proposed Core Strategy, and consider all comments and objections that have been made. The Inspector holds a ‘Hearing’ session as part of the Examination process. The Inspector then subsequently issues an ‘Inspector’s Report’, which must state either:
- (i) That the Core Strategy is ‘unsound’, and that it is impossible for changes to be made to it to make it ‘sound’; under this scenario the Council is not permitted to adopt the Core Strategy;

- (ii) That the Core Strategy is 'sound', provided (in most instances) that certain changes as recommended by the Inspector are made to the Core Strategy before it is adopted.

4.8 We are very pleased to report that the Inspector, Dr Shelagh Bussey, who was appointed to examine the Peterborough Core Strategy, has found our strategy 'sound' and, in effect, has given permission to the city council to adopt the Core Strategy provided her recommended changes are incorporated into the final adopted version of the Core Strategy. Her full report is attached at Appendix A.

4.9 Pleasingly, and not common from a national perspective, her report only makes a few relatively minor changes to the strategy, all but one of which were agreed with planning officers at the time of the Examination.

4.10 The only additional change recommended by the Inspector requires the council to maintain up-to-date information on the needs of the Gypsy and Traveller community for use when planning any new Gypsy and Traveller pitches. However, the inspector does not allocate any new sites for Gypsy and Travellers nor does she set any specific target number of pitches that should be provided. Officers consider that this additional recommendation by the Inspector is sensible, and officers do not see any reason to not accept it.

4.11 It is, however, worth highlighting other comments made by the Inspector in her report, which demonstrate that not only does the Inspector consider the plan to be 'sound' but also that it is a well prepared, appropriate and sensible strategy for the city, supported by considerable evidence. To illustrate, the Inspector found that:

- The core strategy "is an ambitious plan...to deliver a bigger and better Peterborough" (para 7)
- The vision set out in the plan "is locally distinctive and provides a clear sense of how the city will develop" (para 11)
- The evidence which supported the preparation of the plan is "robust, extensive, but proportionate" (para 7)
- Eye / Eye Green is "appropriately categorised" as a Key Service Centre (para 22)
- The policies for the location of major development (such as an urban extension at Great Haddon and a regional freight interchange at Stanground) "are justified by the evidence, are the most appropriate to achieve the vision and objectives of the core strategy, and... they are effective, deliverable and consistent with national policy" (para 44)
- With respect to the housing growth targets, the "provision for around 25,500 net new dwellings by 2026 provides an appropriate and soundly based target for the current core strategy" (para 48)
- With respect to the employment growth targets (24,600 new jobs), the "intended scale of employment growth and employment land provision is justified" (para 67)
- With respect to infrastructure, "it is evident that the core strategy is underpinned by a clear understanding of the strategic infrastructure requirements that are necessary to deliver its vision and... there is a reasonable prospect for their timely provision" (para 78)
- Peterborough is "well placed" to lead on action to tackle environmental issues and adapt to climate change (paras 88-89)
- With respect to the policy requirement for 30 per cent of all new homes, on sites of 15 or more houses, to be affordable housing, "I have no reason to doubt that the submitted target and threshold are justified and the most appropriate" (para 103)
- The core strategy "appropriately emphasises the priority to enhance the role of the city centre as a regional centre" (para 125).

4.12 However, turning back to her recommended changes, it is important to note that, in accordance with regulations, the recommendations in the Inspector's Report are 'binding' on the council. This means that the council can not 'pick and choose' which of her

recommendations to accept or reject; it must accept them all (if the council wishes to adopt the Core Strategy) or, indirectly, reject them all (and, thus, not adopt the Core Strategy).

Adoption of the Peterborough Core Strategy

- 4.13 Cabinet must decide whether to recommend to Council the adoption of the Peterborough Core Strategy. Attached at Appendix B is the version which Cabinet is asked to recommend, and the version which will be considered by Council on 23 February. This version incorporates all of the recommendations made by the Inspector.
- 4.14 To be absolutely clear on this matter, Cabinet (and then Council) can only support or reject the version as at Appendix B. Further changes are no longer permitted.
- 4.15 If Council agree the Core Strategy as per Appendix B, then the document is 'adopted'.
- 4.16 If Council does not agree the Core Strategy as per Appendix B, then, in accordance with the regulations, the Council is not obliged to adopt it. However, as a result of a rather unusual quirk in the plan making system, the Council is equally not permitted to 'withdraw' the earlier draft Core Strategy (submission version – Jan 2010). Effectively, under this scenario, the draft Core Strategy and the Inspector's report go into somewhat of an abyss, neither adopted nor deleted. In reality, the council would in all likelihood commence the preparation of a new Core Strategy which, following the same cycle of extensive consultation and Examination, would eventually supersede this unadopted Core Strategy. The ability, in the meantime, of the council and developers to use the unadopted Core Strategy, and the Inspector's Report, as evidence to support or object to a proposal is a debateable point, and an issue we would have to investigate should the need arise.

5. CONSULTATION

- 5.1 Extensive consultation, over many years, with the public and a wide variety of other stakeholders has taken place. Emerging drafts have also been considered by various Neighbourhood Council, Scrutiny, Cabinet and Council meetings. The Inspector agreed that we had undertaken appropriate consultation.
- 5.2 There is no opportunity for further consultation or comment on the strategy.

6. ANTICIPATED OUTCOMES

- 6.1 It is anticipated that Cabinet will recommend to Council that the Core Strategy, as amended as a result of the Inspector's recommendations, be adopted.

7. REASONS FOR RECOMMENDATIONS

- 7.1 As outlined in the report, Council only has two options available to it; either adopt the strategy or not adopt the strategy. The former is recommended, as it is a statutory duty to prepare a core strategy, and, in adopting it, Peterborough will have a clear and robust policy document setting out its vision, objectives and key planning policies.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The option of not adopting the plan is not recommended, because in doing so the council:
- would have no clear vision or strategy as to how Peterborough will grow;
 - will have no clear policies to progressively push forward on matters such as the environment, affordable homes and job creation; and
 - will be at considerable risk of having to consider ad hoc major planning proposals from developers with no real basis or policy in place for considering such proposals (which in turn could lead to poorly planned growth, reduced investment in Peterborough, lower job growth, increased housing waiting list and insufficient

provision of infrastructure due to uncoordinated, developer-led, development schemes).

- 8.2 In addition, should the Core Strategy be not adopted, this would mean that all other LDF documents currently under preparation (Site Allocations Document, City Centre Area Action Plan, Planning Policies DPD, etc) would need to be put on hold for perhaps 3-4 years until a revised Core Strategy was prepared, a situation which would exacerbate the issues identified in paragraph 8.1.

9. IMPLICATIONS

- 9.1 The Core Strategy will have implications for all sectors of society and all wards and parishes of the local authority area. The process of sustainability appraisal, based on social, economic and environmental criteria, ensures that all potential implications are taken into account in a systematic way.
- 9.2 Legal Implications: On adoption, the Council must consider all planning applications against the policies in the Core Strategy. In addition, all subsequent documents prepared as part of the LDF (such as the Site Allocations Document) must be in accordance with the Core Strategy.
- 9.3 Financial Implications: There are no immediate financial implications flowing from the adoption of the Core Strategy. The detailed financial implications of the growth described will be assessed as individual schemes develop, and these will be incorporated into the Council's Capital and Revenue financial planning processes.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

None

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