

2. REVISING THE LOCAL DEVELOPMENT SCHEME (A.6101/BJT)

Purpose of the report

1. To agree a draft revised Local Development Scheme.

Recommendations

2.
 1. **Members approve the revised Local Development Scheme set out in Appendix 1 subject to any minor amendments to the Local Development Scheme milestones arising from discussion by the Local Development Framework Project Board on the 28th September, and any suggested changes required by Government Office for the East Midlands.**
 2. **That the revised Local Development Scheme will have effect from the 30th October 2009.**
 3. **That the Chief Executive in consultation with Government Office for the East Midlands be granted delegated authority to make minor amendments as required before publication.**

How does this contribute to our policies and legal obligations?

3. The Planning and Compulsory Purchase Act 2004 introduced a new system for development plans in England and set out new regulations for their preparation. Included within this system is the production of a Local Development Framework (LDF) by all local planning authorities. These regulations were amended in 2008 to reflect a new focus on justifying the plan with robust evidence and proving the effectiveness of the plan all through a series of "soundness" tests.
4. A key requirement under the Act is that every local planning authority shall prepare and maintain a Local Development Scheme (LDS) to set out how the authority will work towards the preparation of its Local Development Framework. The LDS is a public statement identifying which new planning policy documents will be produced, in what order, and when, and how they will be reviewed. As such, it is a starting point in helping all stakeholders understand an authority's intended planning policies. The LDS is a rolling 3 year project plan, which effectively forms the authority's planning policy work programme.
5. More recent changes to the LDF regulations in 2009, removed the requirement for Supplementary Planning Documents to be included as part of an LDS programme.
6. Following the Authority's resolution to adopt, the revised LDS will be submitted to the Secretary of State via the Government Office for the East Midlands (GOEM). A period of 4 weeks is allowed during which time the Secretary of State must notify the Authority whether the LDS is acceptable, after which the LDS takes effect.

Background

7.
 - The last LDS was adopted by the Authority in January 2007.
 - The previous LDS highlighted the intention to focus initially on the preparation of a Core Strategy to be followed by a Development Control document.

- Despite prompt engagement with stakeholders on early issues and options in spring 2007, feedback from GOEM on this early work suggested that more work was needed to reflect the changes sought by Government in creating spatial plans.
- To address these concerns the Authority invited support from the Planning Advisory Service who made recommendations relating to spatial planning methods, evidence gathering, consultation and project planning
- Immediate commitments were made to jointly commission a series of evidence studies used to underpin the Core Strategy.
- Issues and options were then refined during 2008 using the new evidence, and stakeholder consultation, culminating in a major consultation on refined issues and options between Jan and April 2009.
- The Authority in June 2009 (minute ref 58/09), subsequently agree to review the milestones for the LDF project. Members were alerted to the need to revise the LDS and the October Authority meeting was earmarked for this purpose.
- Work has been on-going to prepare the Core Strategy ready for consultation on our preferred approach during the Autumn in accordance with agreed dates.
- Following a member workshop in September a further report is tabled at this Authority to approve the preferred approaches prior to consultation.

Proposals

8. The key role for the LDS is to present the Authority's programme for replacing existing saved policies by the preparation of Development Plan Documents.
9. The LDS proposes that the Authority continues to focus on the Core Strategy, with some overlap upon the Submission stage during 2010 to enable pre-production survey work and stakeholder dialogue to commence on a Development Management Policy document and associated Proposals Map,
10. Despite changes in regulations meaning that Supplementary Planning Documents (SPD's) need not be reported in the LDS, officers have chosen to present an overview of the documents viewed as important to bring forward during the 3 year period, including a suite of technical design notes, a climate change SPD and replacement of existing supplementary planning guidance covering locally needed affordable housing and farm buildings.

11. Key dates shown for the principal Development Plan Documents are shown below.

Core Strategy

Targeted consultation on Preferred Options	Late October – December 2009 (6 wks)
Consultation on submission draft	June – July 2010 (6 wks)
Submission to Secretary of State	September 2010
Pre-hearing meeting	November 2010
Examination hearings	February 2011 (allowing for Christmas)
Receive Factcheck Report	April 2011
Receive Inspector's Report	May 2011
Adopt document	July 2011 (Authority meeting date)

Development Management Policies and Proposals Map

Pre-production survey & involvement	From September 2010
Consultation on Issues & Preferred Options	February – March 2012 (6 weeks)
Consideration of representations and preparation of submission draft	March 2012 – February 2013
Consultation on submission draft	February – March 2013 (6 weeks)
Submission to Secretary of State	May 2013
Pre-hearing meeting	July 2013
Examination hearings	September 2013
Receive Factcheck report	January 2014
Receive Inspector's Report	February 2014
Adopt document	April 2014

Are there any corporate implications members should be concerned about?

12. **Financial:** There is scope for reward through the Housing and Planning Delivery Grant for reaching the Submission and Adoption stages of plan production in accordance with published milestones in the Local Development Scheme (LDS). The Authority could still be eligible for such a reward if the LDS is now revised and the new milestones met through 2010/11.
13. **Risk Management:** The acknowledgement and agreement at the Authority meeting in June 2009 to include a time contingency within the LDF project plan significantly addresses a number of risks in the project risk register. This will be built into the milestones shown in the LDS.

14. **Sustainability:** Putting the LDF project onto a more stable footing helps increase confidence in the project planning. This is likely to have positive effects on the ability of the Project Team to deliver a quality plan that passes the Inspector's tests of soundness but more significantly provides a quality Core Strategy for the future of the National Park.
15. **Background papers** (not previously published)
None

Appendices

Appendix 1 - Local Development Scheme

Report Author, Job Title and Publication Date

Brian Taylor (Planning Policy Manager) in consultation with Head of Planning and the Head of Policy, Thursday 24 September 2009