

Forest Heath District Council

(This report is not a key decision. This report has been subject to appropriate notice of publication under the Council's Access to Information Rules)

Report of the Cabinet Member for Planning, Housing and Transport

CABINET

3 SEPTEMBER 2013

CAB13/103

JOINT FOREST HEATH DISTRICT COUNCIL AND ST EDMUNDSBURY BOROUGH COUNCIL LOCAL DEVELOPMENT SCHEME (Key Decision Reference: SEP13/07)

1. Summary and reasons for recommendation(s)

- 1.1 The Planning and Compulsory Purchase Act (2004), as amended by the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012 places a requirement upon local planning authorities, (LPAs) to produce and keep up-to-date a Local Development Scheme.
- 1.2 The Local Development Scheme (LDS) explains how and when the Council will prepare, consult, adopt and review local development plan documents which together will comprise the Local Plan for Forest Heath District Council and/or St Edmundsbury Borough Council. A new, joint LDS has now been prepared to cover both districts reflecting the implementation of the shared Planning Service.
- 1.3 This report had also been considered by the Local Plan Working Group on 4 July 2013, where it was recommended that the Scheme be approved for publication.

2. Recommendation(s)

- 2.1 That the Joint Local Development Scheme is approved for publication.**

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3. Corporate priorities

- 3.1 The preparation of the Local Development Scheme, (LDS), and the development plan in more general terms relate to a number of corporate priorities across both Authorities including economic development, community development and housing.

4. Key issues

- 4.1 The Planning and Compulsory Purchase Act (2004), as amended by the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012 places a requirement upon local planning authorities, (LPAs) to produce and keep up-to-date a Local Development Scheme. Given the approach to a shared planning service for Forest Heath and St Edmundsbury, it is now appropriate to have a joint Local Development Scheme that sets out the programme for the preparation of development plan documents across both districts.
- 4.2 Previously, for Forest Heath, a Local Development Scheme was prepared and agreed by Members on the 20 June 2011. Members agreed the timetable as a 'living draft' and the last update to the timetable was prepared and made available on the website in January 2012. In the case of St Edmundsbury, the last Local Development Scheme timetable was prepared and made available on the website in September 2012.
- 4.3 A revision to the Forest Heath LDS and St Edmundsbury LDS is now required in order to reflect recent changes to the planning system, to update progress on the development plan documents currently in preparation and to roll the programme forward to 2016. Attached, as Appendix A of this report (to follow), is the Joint Local Development Scheme for St Edmundsbury and Forest Heath. This document forms the first Local Development Scheme covering the Local Development Plan Documents being prepared either for each local planning authority area or as joint documents covering both districts. Officers will make a presentation to the meeting to explain the content of the LDS.
- 4.4 The document sets out which local plan documents, including supplementary planning documents, are being prepared; the purpose of those documents; and the timetable for their preparation including consultation, examination and adoption. Each Council is required to regularly review their Local Development Scheme, keep it up-to-date and publish it on their website.

5. Other options considered

- 5.1 None. There is a requirement to produce a Local Development Scheme. However, given that both authorities are implementing a shared Planning service, it is appropriate that a joint Local Development Scheme is published that reflects the timetable for the preparation of local plan documents being prepared by the service.

6. Community impact

6.1 Crime and disorder impact *(including Section 17 of the Crime and Disorder Act 1998)*

6.1.1 It is not considered that the Local Development Scheme will have any impact on crime and disorder in the district.

6.2 Diversity and equality impact *(including the findings of the Equality Impact Assessment)*

6.2.1 It is not considered that the Local Development Scheme will have any detrimental impact on diversity and equality in the district.

6.3 Sustainability impact *(including completing a Sustainability Impact Assessment)*

6.3.1 The Local Development Scheme does not have any sustainability implications.

6.4 Other impact *(any other impacts affecting this report)*

6.4.1 None associated with this report.

7. Consultation *(what consultation has been undertaken, and what were the outcomes?)*

7.1 None. The LDS is not consulted upon.

8. Financial and resource implications *(including asset management implications)*

8.1 The Local Development Scheme identifies a timetable for the preparation, consultation and adoption of Local Plan Development Documents which can be delivered within the current budgets and reflects the current availability of staff resources within the Shared Planning Service.

9. Risk/opportunity assessment *(potential hazards or opportunities affecting corporate, service or project objectives)*

9.1 There are several factors which may impact upon the ability of each Council to keep to this timetable.

Risk	Probability	Impact	Mitigating Measures
Significant public opposition	High	Medium	Local Plan documents have the potential to be highly contentious. Whilst every effort will be made to build cross-community consensus, there is a high risk of significant public opposition.
Loss of Staff	Low	Medium	The structure and staffing levels within the Place Shaping Team will be constantly monitored and reviewed to ensure that the appropriate level of skills and resources are maintained.
Financial shortfall	Low	Medium	In the short/medium term, the Council has allocated funds through its Financial Services Planning process to allow for the preparation of the Local Plan. In the longer term, should costs increase, a review of the financial allocation will be required.
Changing Political	Low	Medium	Proposals are discussed with Members of all parties via a variety of means, the Local

Risk	Probability	Impact	Mitigating Measures
Priorities			Plans Working Group, Sustainable Development Working Party Committee etc). This helps build consensus and reduce the likelihood of wholesale change of direction from local politicians.
Legal Challenge	Medium	High	As a measure of last resort anyone may issue a legal challenge within six week of adoption of the Local Plan. Officers will continue to seek to ensure that local plan documents are prepared within the legal framework in order to reduce the risk of successful legal challenge.

10. Legal and policy implications

10.1 There is a requirement for Local Planning Authorities, (LPAs) to produce a LDS, under section 15 of the Planning and Compulsory Purchase Act (2004), as amended by the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012.

11. Ward(s) affected

11.1 All wards in Forest Heath and St Edmundsbury.

12. Background papers

12.1 None.

13. Documents attached

13.1 Appendix A: Joint Forest Heath District Council and St Edmundsbury Borough Council Local Development Scheme.