

# Local Plan Working Group



**Forest Heath**  
District Council

<b>Title of Report:</b>	<b>Revised Local Development Scheme - June 2016</b>	
<b>Report No:</b>	<b>LOP/FH/16/010</b>	
<b>Report to and date:</b>	Local Plan Working Group	16 June 2016
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<b>Purpose of report:</b>	<p>The Planning and Compulsory Purchase Act (2004), as amended by the Localism Act (2011) and the Town and Country Planning (Local Planning) (Regulations) (2012) places a requirement on Local Planning Authorities to produce and keep up to date a Local Development Scheme.</p> <p>The Local Development Scheme (LDS) explains how and when the Council will prepare, consult, adopt and review its Local Development Plan Documents which will together comprise of the Local Plan for Forest Heath District Council and/or St Edmundsbury Borough Council.</p> <p>A Joint LDS was agreed by Forest Heath District Council and St Edmundsbury Borough Council Cabinets in July 2013. The Local Plans Working Group agreed to the most recent publication of an update to the Local Development Scheme programme chart in February 2016.</p> <p>Following the adoption of a number of the development plan documents listed within the 2013 LDS, and due to a small delay in the preparation of the remaining development plan documents, it is necessary to review</p>	

	<p>the LDS and roll forward the programme to 2017.</p> <p>Working Paper 1 is the updated June 2016 LDS.</p>
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that the Local Plan Working Group notes the updated West Suffolk Local Development Scheme (Working Paper 1).</b>
<b>Key Decision:</b> <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>• None associated with this report.</li> </ul>
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>• There are two options open to the Council for progressing the Core Strategy Single Issue Review and Site Specific Allocation Local Plans. Following Cabinet (9 December 2014), Members resolved to prepare the Local Plans in tandem therefore the Local Development Scheme has been revised and updated accordingly.</li> </ul>
<i>Are there any <b>financial</b> implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<i>Are there any <b>staffing</b> implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<i>Are there any <b>ICT</b> implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<i>Are there any <b>legal and/or policy</b> implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• There is a requirement for Local Planning Authorities 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.</li> </ul>
<i>Are there any <b>equality</b> implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Risk/opportunity assessment:</b>	<p>The Local Development Scheme (June 2016 – Working Paper 1) chapter 8 includes a risk assessment that could affect the Councils ability to deliver the Local Plan(s) in accordance with the programme. Actions to manage the risks have also been identified. Failure to produce an up to date Local Plan programme may result in an unsound development Local Plan or a legal challenge.</p>

<b>Risk area</b>	<b>Inherent level of risk (before controls)</b>	<b>Controls</b>	<b>Residual risk (after controls)</b>
Significant public opposition	High	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.	Medium
Loss of Staff	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.	Low
Financial shortfall	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.	Low
Changing Political Priorities	Medium	Proposals are discussed with Members of all parties via a variety of means, the Local 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.	Low
Legal Challenge	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	Medium

		prepared within the legal framework in order to reduce the risk of successful legal challenge.	
<b>Ward(s) affected:</b>		All Wards are affected.	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		<p>West Suffolk Local Development Scheme 2013 – 2015  <a href="http://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/LocalDevelopmentSchemeJointJun2013.pdf">http://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/LocalDevelopmentSchemeJointJun2013.pdf</a></p> <p>Joint Local Development Scheme timeline – February 2016 update  <a href="http://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/LDS-Ghantt-Chart-February-2016-Update.pdf">http://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/LDS-Ghantt-Chart-February-2016-Update.pdf</a></p>	
<b>Documents attached:</b>		Working Paper 1: West Suffolk Joint Local Development Scheme – June 2016	

## **1. Key issues and reasons for recommendation(s)**

### **1.1 Revised Local Development Scheme – June 2016**

- 1.1.1 Previously, a joint Local Development Scheme was prepared and agreed by Members in Forest Heath and by Members in St Edmundsbury in June 2013. The most recent update to the Local Development Scheme programme chart was subsequently agreed by Members in February 2016.
- 1.1.2 The Local Development Scheme uses a project management approach to prepare the various parts of the Council(s) Local Plan(s). The programme is measured by 'milestones' which highlights the need to revise the published timetable.
- 1.1.3 The programme for the preparation of the Local Development Plan documents requires updating; a number of the Local Development Plan documents identified in the Local Development Scheme 2013 – 2015 have been adopted and a revised timetable is required for the remaining documents to be produced.
- 1.1.4 Working Paper 1 is the updated Local Development Scheme document. Appendix 1 of this document is the revised programme chart with milestones which will replace the West Suffolk Local Development Scheme (June 2013 and February 2016 programme chart update). The principal changes to the timeframe are set out below:
- The final Core Strategy Single Issue Review and Site Allocations Local Plan Submission consultation will take place November 2016 -January 2017 (the consultation is likely to be eight weeks in length as it will fall over the Christmas break);
  - The Plans will be submitted to the Secretary of State by the end of March 2017;
  - The examination is likely to take place in June 2017 (the dates will be scheduled by the Planning Inspectorate);
  - The Inspector's Report is likely to be received in October 2016;
  - Adoption of the Plans is scheduled for December 2017 at a meeting of Forest Heath's Full Council. This is a three month delay in relation to the February 2016 timeline.
- 1.1.5 The reason for this proposed amendment to The LDS is to ensure that all parts of the evidence base which support the Local Plan have been finalised and fully considered during the preparation of the final Submission versions of the Plans. It is also important that the LDS is fully up to date ahead of the consultation on the Submission versions of the Local Plans, as this document will be inspected during the Local Plan examination to ensure that the milestones have been met.
- 1.1.6 It should be noted that since 2015, rapid progress has been made on the preparation of the Single Issue Review and Site Allocations Local Plan, with two Regulation 18 consultations taking place within the space of nine months. Moving forward, the government has indicated that all councils must get a Local Plan produced by early 2017, or face the prospect of direct intervention.

- 1.1.7 In March of this year, the Planning Minister, Brandon Lewis, suggested that the stage in the plan making process that councils must reach to avoid intervention is the submission of plans for examination. Whilst no date has been set for meeting this requirement, it has been suggested by the government's Local Plan Expert Group that the submission of plans should take place by March 2017.
- 1.1.8 Under the proposed revision to the timetable, the Plans will be submitted to the Secretary of State by the end of March 2017 and will meet the above requirement.
- 1.1.9 This revision to the LDS is very likely to be the last required before a Joint LDS is produced outlining the timetable for the preparation of a joint Forest Heath and St Edmundsbury 'West Suffolk Local Plan'. Section 4 of **Working Paper 1** anticipates that work on the joint Local Plan will commence towards the end of 2017, early 2018. This, and the updated LDS, will be reported to the next meeting of St Edmundsbury Borough Council's Sustainable Development Working Party in July 2016.