

# Joint Executive (Cabinet) Committee

<b>Title of Report:</b>	<b>West Suffolk Local Development Scheme (LDS) December 2018: Adoption</b>	
<b>Report No:</b>	<b>CAB/JT/18/054</b>	
<b>Report to and dates:</b>	<b>Joint Executive (Cabinet) Committee</b>	11 December 2018
	<b>St Edmundsbury Council</b>	18 December 2018
	<b>Forest Heath Council</b>	19 December 2018
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<b>Purpose of report:</b>	To inform Members of the revised Local Development Scheme (LDS) and to adopt the revised LDS as a timetable for the preparation of the West Suffolk Local Plan.	
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that the Joint Executive (Cabinet) Committee:</b>  <b>(1) Notes the revised West Suffolk Local Development Scheme (LDS)(as set out in Working Paper 1 to Report No: CAB/JT/18/054); and</b>	

	<b>(2) Recommends to Forest Heath District and St Edmundsbury Borough Councils that the West Suffolk Local Development Scheme (LDS) is adopted (as set out in Working Paper 1 to Report No: CAB/JT/18/054).</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"/>
<i>The decisions made as a result of this report will usually be published within <b>48 hours</b>. This item is included on the Decisions Plan.</i>	
<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>• None. The Planning and Compulsory Purchase Act requires Local Planning Authorities to prepare, maintain and publish a Local Development Scheme (LDS)</li> </ul>
<b>Implications:</b>	
Are there any <b>financial</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Are there any <b>staffing</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Are there any <b>ICT</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Are there any <b>legal and/or policy</b> implications? If yes, please give details	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>
Are there any <b>equality</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Risk/opportunity assessment:</b>	<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i> The Local Development Scheme December 2018 (Working Paper 1) Section 7 includes a risk assessment that could affect the Councils' ability to deliver the Local Plan 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.

<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	Low	The structure and staffing levels within the Planning and Growth team will be constantly monitored and reviewed to ensure that the appropriate level of skills and resources are maintained.	Low
Financial shortfall	Low	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	Low	Proposals are discussed with Members of all parties via a variety of means. 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 weeks 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.	Medium

<b>Ward(s) affected:</b>	All Wards
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>	Forest Heath District Council and St Edmundsbury Borough Council - Joint Local Development Scheme June 2016  <a href="https://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/C23-Joint-Local-Development-Scheme.pdf">https://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/C23-Joint-Local-Development-Scheme.pdf</a>
<b>Documents attached:</b>	<b>Working Paper 1</b> – West Suffolk Councils Local Development Scheme – December 2018

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

### **1.1 Revised Local Development Scheme – December 2018**

- 1.1.1 The Local Plan is the tool used to deliver the land use elements of the wider place-making function of the Council. It is part of the suite of corporate strategies/plans and programmes which collectively deliver the strategic priorities.
- 1.1.2 As the starting point for considering whether planning applications can be approved. The Local Plan provides the framework for good development across West Suffolk.
- 1.1.3 A review of the existing Local Plans is now required to meet our Council ambitions and to safeguard communities from speculative unsustainable growth – development in the wrong locations and without the necessary strategic infrastructure. The Local Plan will provide a positive, flexible and deliverable planning policy framework for West Suffolk.
- 1.1.4 Before starting work on the West Suffolk Local Plan, the Council has reviewed and updated the Local Development Scheme which sets out what development plan documents are to be produced, their subject matter and broad timetable for their preparation including consultation, examination and adoption.
- 1.1.5 A revision to the 2016 joint St Edmundsbury and Forest Heath LDS is now required in order to;
- reflect recent changes to the planning system
  - prioritise plan preparation and progression in order to meet the single council consequential order clause which requires West Suffolk to prepare a Local Plan across the administrative area within 5 years of becoming a single council (April 2024)
  - to update progress on the development plan documents currently in preparation; and
  - to roll the programme forward to 2023 for the preparation of a West Suffolk Local Plan. The revised LDS is attached at Working Paper 1 to this report.
- 1.1.6 Annex 1 to the LDS document is the programme chart with milestones for the preparation of the West Suffolk Local Plan. The key milestones are set out below for information.

<b>Stage</b>	<b>Dates</b>
First regulation 18 public consultation on issues and options	November 2019 - January 2020

Second regulation 18 public consultation on preferred options	August – October 2020
Pre-submission consultation	April - May 2021
Submission to the Secretary of State	July 2021
Examination in public	January - February 2022
Adoption of West Suffolk Local Plan	May 2023

- 1.1.7 The programme takes a realistic and inclusive approach, based on the time taken to achieve key milestones during the preparation of previous Local Plans and to ensure proper engagement and consultation. Progress will be measured against milestones to assess whether there is any need to revise the published timetable. The timeline is a 'live' document and will be updated on the West Suffolk Council's website as necessary.