

**THE CABINET**  
**12<sup>th</sup> September 2011**

**Subject:** **Stratford District Local Development Framework  
Local Development Scheme**

**Lead Officer:** **Stephanie Chettle**  
**Contact on 01789 260399**

**Lead Member/  
Portfolio Holder:** **Councillor G Roache**

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### **SUMMARY**

The Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare and maintain a 3-year project plan to be referred to as a Local Development Scheme (LDS). The LDS provides the starting point for the local community and other interested parties to find out what the current planning policies for the District are and how these policies will be reviewed and developed in the future as part of the new Local Development Framework (LDF) for the District.

Proposed amendments to the LDS were approved at Cabinet on 10<sup>th</sup> January 2011, as a part of the Annual Monitoring Report, and on 23<sup>rd</sup> May 2011. Full Council considered the Local Development Scheme on 11<sup>th</sup> July 2011 and recommended that the Scheme, as contained in Appendix 1 to the report presented to The Cabinet on 23<sup>rd</sup> May be approved. It was also recommended that the submission of the Local Development Scheme to the Secretary of State be deferred pending a review of the Core Strategy timetable. Having reviewed the timetable with the Leader of the Council and Portfolio Holder for Corporate Support, further amendments have been made to the LDS. A summary of the updated LDS is attached in **Appendix 1** to this report.

### **RECOMMENDATIONS**

- i) That the recommended amendments to the Local Development Scheme, as outlined in paragraphs 1.8 to 1.9 and Appendix 1 of this report, be approved.**
  - ii) That the revised Local Development Scheme be brought into effect in accordance with Regulation 11 of the Town and Country Planning (Local Development) (England) Regulations 2004 and subject to Secretary of State approval.**
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### **Background/Information**

- 1.1 Work is underway on the District's Local Development Framework (LDF), a suite of planning policy documents which will replace the saved policies within the Stratford on Avon District Plan Review. The statutory requirement to produce an LDF is set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development Framework) (England) Regulations 2004 and 2008.
- 1.2 The Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare and maintain a 3-year project plan to be referred to as a Local Development Scheme (LDS). The LDS provides the starting point for the

local community and other interested parties to find out what the current planning policies for the District are and how these policies will be reviewed and developed in the future as part of the new Local Development Framework (LDF) for the District.

- 1.3 Following the Cabinet resolution on 23<sup>rd</sup> May 2001, it was agreed by Full Council on 11<sup>th</sup> July that the submission of the Local Development Scheme be deferred pending a review of the Core Strategy timetable.
- 1.4 There are four proposed changes that relate to the timetable for the production of the Core Strategy and impact upon the Local Development Scheme. Firstly, it was agreed to consider the Housing Provision Options Study and the Employment Land Study on 5<sup>th</sup> September at a special meeting of Cabinet following Member briefing sessions on 17<sup>th</sup> August and 1<sup>st</sup> September. In addition, it was agreed the Gypsy and Traveller Accommodation Assessment would be considered at the 7<sup>th</sup> November meeting of Cabinet. Decisions on these key pieces of evidence are required before policy papers can be drafted by the Planning Policy team and the third draft of the Core Strategy then be finalised and consulted upon.
- 1.5 Following these decisions, it is proposed to consult after the Christmas period on the third draft of the Core Strategy to allow maximum input from the public during the six week consultation period. This was highlighted as an important priority in the recent round of stakeholder consultation in February and March 2011.
- 1.6 Thirdly, additional advice has been received from the Planning Inspectorate which indicates that Local Authorities are, on average, taking longer to process the representations received during the Regulation 27 (submission) consultation. A contingency therefore needs to be factored into the Local Development Scheme.
- 1.7 Lastly, the amendments to the timetable above would also push key stages of the process into the Purdah period. Consequently, some further re-scheduling is necessary to ensure that officers are conducting background and preparatory work during this period that will not require publicity or Member decision between March and May 2012.
- 1.8 As a result of the factors listed above, the following revised timetable is proposed for the stages of Core Strategy Development Plan Document (DPD) preparation:

Completion of evidence base	October 2011
Preparation of Regulation 25 consultation draft (third draft)	October-December 2011
Regulation 25 consultation	January-March 2012
Processing of Regulation 25 consultation responses and publication of consultation report	March-April 2012
Preparation of Publication DPD (submission draft)	April-July 2012
Publication of Core Strategy DPD (Regulation 27)	July 2012
Representations period and conformity with the Regional Strategy (Regulations 28 and 29)	August-September 2012
Processing representations for submission	September-November 2012

Submission (Regulation 30 and 31)	November 2012
Pre-Hearing meeting	January 2013
Examination in Public	March 2013
Adoption	May 2013

1.9 No additional changes are proposed to the timetables for the Site Allocations and Gypsy and Traveller DPDs. However, it is proposed that the consultation on the District Design Guide is also undertaken in January 2012. Work on the Design Guide has been postponed until the return of a key officer from sick leave. Subject to public consultation being undertaken in January 2012, the Supplementary Planning Document can be considered for adoption in June 2012.

1.10 Subject to Council approval, the revised LDS will be submitted to Communities and Local Government and the Planning Inspectorate. Assuming the Secretary of State is content with the submitted LDS it can be brought into effect on or after the expiry of 28 days from its submission. The regulations also require a specific resolution from the local planning authority to bring the LDS into effect.

## **2 Options available to the Committee**

### **2.1 Option 1:**

To recommend to Full Council to approve the proposed changes to the LDS (see Appendix 1) and bring the revised LDS into effect in accordance with Regulation 11, subject to the Secretary of State's approval.

### **2.2 Option 2:**

To recommend to Full Council to reject the proposed changes to the LDS and to bring into effect alternative milestones, subject to the Secretary of State's approval.

## **3 MEMBERS' COMMENTS**

- 3.1 Councillor Gill Roache, Portfolio Holder, Corporate Support:-  
Whilst disappointed that we are having to amend the timetable again, I support these changes. Evidence gathering, Consultation, deliberation and Examination procedures are all vital in the production of a Core Strategy which has a robust evidence base. These things all take time. Once in place, the Core Strategy will inform future development in Stratford on Avon District until 2028.

## **4. Implications of the Proposal**

### **4.1 Legal/Human Rights Implications**

- 4.1.1 Preparation of the LDS is a statutory requirement of the Planning and Compulsory Purchase Act 2004. The LDS must be reviewed and submitted to the Secretary of State on an annual basis.

### **4.2 Financial**

- 4.2.1 As indicated on 23<sup>rd</sup> May 2011, production of the Core Strategy can be accommodated from within budget. The Core Strategy Examination in Public is an unavoidable budget pressure of £60,000 for 2012/13.

In addition, there will be a future budget pressure associated with the evidence gathering, preparation and examination of the Site Allocations DPD.

These budget pressures for 2012/13 and 2013/14 will be the subject of

consideration as part of the budget process.

#### **4.3 Environmental**

- 4.3.1 All documents prepared as part of the LDS will be subject to either a Strategic Environmental Assessment (SEA) and / or a Sustainability Appraisal (SA). This will ensure that the implications of all policies and proposals are assessed against a range of environmental, economic and social criteria.

#### **4.4 Corporate Strategy**

- 4.4.1 All documents prepared as part of the LDS will reflect the Council's corporate priorities and will be closely linked to the Community Plan. The LDF particularly relates to Aims 1, 2 and 4 of the new Corporate Strategy.

#### **4.5 Equality Impact Assessment**

- 4.5.1 No specific equality impact issues have been identified in association with the preparation of the Local Development Scheme.

#### **4.6 Risk Assessment**

- 4.6.1 There are two principal risks if the LDS is not prepared or if it is deficient. The first risk is the failure to comply with statutory duties as set out above. The second risk is that the spatial planning policies of the District Council are not sufficiently up to date or robust and that key corporate and environmental objectives are not met. It is considered that approval of the appended document will mitigate these risks.

### **5. Conclusion**

- 5.1 The revised LDS represents a comprehensive project plan for the preparation of Local Development Documents for the period up to 2014. It reflects the Council's commitment to completing the Core Strategy, but also demonstrates a commitment to progress the preparation of two Development Plan Documents which will form part of the Local Development Framework and will enable the allocation of sites for future development in the District.
- 5.2 It is recommended that Council bring the revised Local Development Scheme into effect in accordance with Regulation 11 of the Town and Country Planning (Local Development) (England) Regulations 2004, subject to Secretary of State approval.

Liam Nevin

HEAD OF CORPORATE SUPPORT

Summary Table - Local Development Scheme

<b>Ref.</b>	<b>Objective/Outcome</b>	<b>Task</b>	<b>Target 11/12</b>
1	Production and adoption of the Core Strategy DPD	Member/Parish Consultation Ongoing stakeholder consultation Completion of evidence base Production of third draft of the Core Strategy and Sustainability Appraisal Public consultation Production of submission draft and Sustainability Appraisal Public consultation Submission to the Secretary of State Examination in Public Adoption	March/April 2011 April - August 2011 October 2011 October-December 2011 January-March 2012 April - July 2012 August - September 2012 November 2012 March 2013 May 2013
2	Production and adoption of Community Infrastructure Levy Charging Schedule	Draft charging schedule Public consultation Production of submission draft Public consultation Submission to the Secretary of State Examination in Public Adoption	October- December 2011 January- March 2012 April- July 2012 August - September 2012 November 2012 March 2013 May 2013
4	Production and adoption of the District Design Guide SPD	Writing of new sections of Design Guide and Sustainability Appraisal Photographs/diagrams/maps Update	April - August 2011 October - December 2011

Ref.	Objective/Outcome	Task	Target 11/12
		Public Consultation	January-March 2012
		Revisions/responses to Public Consultation	March- May 2012
		Committee Adoption	June 2012
5	Gypsy and Traveller Site Allocations DPD	<b>STAGE 1 -</b> Update Gypsy and Traveller Accommodation Appraisal Produce Guidance Note to add detail to Policy CTY.7 Public consultation Finalisation and Adoption of Guidance Note	August - October 2011 October- December 2011 January-March 2012 June 2012
		<b>STAGE 2 -</b> Production of submission draft (Core Strategy policy) and Sustainability Appraisal Public consultation	April - July 2012
		Submission to the Secretary of State	August - September 2012
		Examination in Public	November 2012
		Adoption	March 2013
		<b>STAGE 3 -</b> Produce Issues and Options report and Sustainability Appraisal Public consultation	May 2013
		Produce Preferred Development Approach and Sustainability Appraisal	January -February 2013
		Public consultation	March 2013
		Produce Submission DPD and Sustainability Appraisal	March-October 2013
			November 2013
			December 2013 - June 2014

<b>Ref.</b>	<b>Objective/Outcome</b>	<b>Task</b>	<b>Target 11/12</b>
		Public consultation	June/July 2014
		Submission to Secretary of State	August 2014
		Examination in Public	Autumn 2014
		Adoption	December 2014
6	Site Allocations DPD (Housing and Employment Delivery)	Produce Issues and Options report and Sustainability Appraisal	January - February 2013
		Public consultation	March 2013
		Produce Preferred Development Approach and Sustainability Appraisal	March-October 2013
		Public consultation	November 2013
		Produce Submission DPD and Sustainability Appraisal	December 2013 - June 2014
		Public consultation	June/July 2014
		Submission to Secretary of State	August 2014
		Examination in Public	Autumn 2014
		Adoption	December 2014