

CABINET

Agenda Item: 7

Ward: District-wide

Portfolio: Planning and Growth

Report Author(s): Andre Sestini

Meeting Date:
9 January 2016

SUBJECT: LOCAL DEVELOPMENT SCHEME(LDS)

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Report Sign off	Seen by:	Name	Date
	Chief Executive	Stuart Brown	20.12.16
	Legal	Lesley Dolan	23.12.16
	Finance	Duncan Moss	23.12.16
	Group Manager	Ian Bowen	23.12.16
	Portfolio Holder	Nigel Woolcombe-Adams	19.12.16
Summary:	<p>The report presents at <i>Appendix 1</i> - a document with a timetable for production and consultation on formal planning policy documents from 2017-2020. This is known as a Local Development Scheme (or LDS). It replaces the previous 2013 LDS which is now out of date. The scheme includes the timing of future stages of Local Plan Part II, a Gypsies and Travellers site allocations document and rolling the plan forward to a single Local Plan by 2021.</p>		
Recommendation:	<p>It is recommended that Cabinet endorse :-</p> <ul style="list-style-type: none"> a) the Local Development Scheme (LDS) at Appendix 1 for publication as the programme for production of planning policy documents; and b) agree that the LDS is reviewed and kept up to date each year; and c) note that an early review of the LDS may be necessary in response to changes in national planning and housing policy. 		
Direct and/or indirect impact on service delivery to our customers and communities:	<p>The LDS is part of keeping communities and other parties up to date in terms of the scope and timing of planning policy documents.</p>		
Contribution to Corporate Priorities:	<p>The LDS links to priorities and policies towards securing housing delivery, affordable housing and accommodating an ageing population.</p>		
Legal Implications:	<p>Publication of an up to date Local Development Scheme is statutory requirement (see background documents) and it must be formally brought into effect. The planning inspectorate will check that any</p>		

	development plan documents submitted to government are included in the LDS.
Financial Implications:	<p>There is provision within the Local Plan Reserve for delivery of the Part II of the Local Plan, CIL and Gypsy and Traveller documents. There may be potential cost implications arising from future examination and external research costs beyond 2019. At this stage, the report seeks agreement to the overall timetable, documents and stages. It does not seek to change or extend the earmarked Local Plan Reserve.</p> <p>Scoping work on other documents in the LDS will identify if additional long-term resources are required. The annual LDS review process would be used to update and justify requests to roll-forward the reserve and the timing and extent of draw down. Expenditure on individual studies will continue to be reported and agreed through the Cabinet.</p>
Impact on Service Plans:	This report has an impact on service plans as the timetable for policy documents forms part of service plans and Performance monitoring. This is noted in the main report.
Value for Money:	None directly arising from the content of this report.
Equalities Implications:	None directly arising from the content of this report. Individual plan documents will be subject to equalities assessment
Risk Assessment and Adverse Impact on Corporate Actions:	The updated LDS is intended to reduce risks to delivery of the Local Plan Part II and maintain a plan-led approach in Mendip.
Scrutiny Recommendation (if any)	This report follows on from a recommendation agreed at Cabinet on 5 th December 2016 for a revised LDS.

INTRODUCTION & BACKGROUND

1. This report seeks agreement to an update of the Mendip Local Development Scheme (LDS). The LDS sets out the documents which make up the Council's Local Plan and the timetable for their review. Publication and updating of the LDS is a statutory requirement.
2. A revised LDS is set out in Appendix 1 which covers the period from 2017-20. This will replace the previous scheme (2013-16). This scheme was produced before the adoption of the Local Plan Part I and is now out of date.
3. The National Planning Policy Framework (NPPF) advises that Councils' should consider reviewing their plans after five years from adoption. The scheme therefore proposes a partial review of the Local Plan Part I from 2018. The NPPF also encourages a return to 'single' Local Plan document rather than separate development plan documents.

4. This report follows a resolution of Cabinet in December 2016 to bring forward a LDS. It provides a timetable through which updated estimates of local housing need can be tested whilst continuing with work on Local Plan Part II.
5. Over time, the LDS has moved away from a detailed programme document to one which can better reflect national changes in legislation and guidance. This highlights the importance of the LDS being kept up to date and informing local communities of progress.
6. The LDS is set out in a succinct format which can be updated as necessary. Additional information (for example – covering supplementary planning documents) will be published on the website separately. The tables in the LDS describe which documents are to be produced, the area covered, links to other plans and likely scope of evidence. The timetable provides a current estimate of when key consultation and plan stages will be reached. Further detail on the document profiles is set out below.

SCOPE AND CONTENT

Local Plan Part II

7. There has been some slippage in the programme from the start of the year reflecting the need to consider the findings of the strategic housing assessment (SHMA) and agreement to continue the Part II Plan. Receipt of the SHMA study itself was put back to include new evidence from the latest housing projections. The review of existing and proposed Local Green Spaces has also added to the time needed to prepare the Part II Plan. Officers will be undertaking informal consultations with infrastructure providers and with town/parish councils on provisional allocations during January 2017. The aim is to bring a draft plan to Cabinet by April 2017 with formal consultation on a pre-submission Plan taking place by June. The Plan will then be submitted for examination.

Gypsies and Travellers Site Allocations Document

8. The proposal for a separate plan to address pitch requirements was agreed by the Local Planning Inspector in 2014. The LDS indicates work on this plan will be undertaken through 2017 alongside the Part II Local Plan. The Planning Inspectorate is likely to want clarification of progress as part of submission of the Part II Plan. However, as the availability and deliverability of sites will be a critical factor, the LDS indicates a review point later in 2017 to determine whether this should be incorporated into the single Local Plan. There may also be options to pursue this plan through joint working, duty-to-co-operate discussions with other districts or other Council strategy documents. Initial work on this plan would need to critically review and update the accommodation assessment and household growth estimates which was based on survey work undertaken in 2011. A specific 'call for sites' would also be needed.

Towards a Single Local Plan

9. The expectation in national planning guidance is that Local Plans are kept up to date and subject to review within five years of adoption. In addition, the Government's preferred approach is for each local planning authority to prepare a single Local Plan (see background documents). The LDS provides a timetable for a partial review of the Local Plan Part I which would incorporate site allocations in Part II. Work on this plan would start in 2018 targeting an adoption by 2020. This

document would review the housing requirement from the latest housing projections in the SHMA. This would also provide an opportunity to review the settlement hierarchy and employment land policies. The initial step of this plan would be a scoping consultation in early 2018.

Community Infrastructure Levy (CIL)

10. An indicative timetable for the introduction of CIL is included in the LDS, This this not strictly a development plan document but its timing is a matter of wider interest to developers and local communities. The timetable acknowledges that a decision to proceed with CIL is dependent on viability testing. This study has yet to start and is awaiting the government's review of CIL regime and position on 'starter' homes - which has an important impact on the viability of development. The most recent reference to CIL by the Planning Minister indicates that a nationally set, but locally collected, infrastructure charge is under consideration. This would significantly change the decision to proceed with CIL.

Joint Working

11. One role of the LDS is to set out whether the Council anticipates to undertake any joint development plan documents. While Mendip's housing market and economy has important links and relationships to neighbouring administrative areas, the most recent studies do not indicate a requirement for formal joint planning. All the planning authorities neighbouring Mendip are undertaking development plan reviews in various forms and engagement will continue under the planning duty to co-operate. There will continue to be discussions to explore opportunities for joint evidence base production.

National Planning Reform

12. The LDS will need to be kept under review as the government is still considering changes to legislation and guidance to boost housing growth. Those proposals which particularly affect the LDS concern the calculation of housing supply and housing need, the evidence required to produce plans and time-limits on plan production. These may be included in the Housing and Planning White Paper due in January 2017 but detailed guidance may also emerge throughout 2017. There may also be consultation on the format of the LDS which follows new provisions in the Neighbourhood Planning Bill. It recommended Cabinet is kept updated of any significant changes and need for revisions to the LDS.

RECOMMENDATIONS

It is recommended that Cabinet endorse:-

- (a) the Local Development Scheme (LDS) at Appendix 1 for publication as the programme for production of planning policy documents; and
- (b) agree that the LDS is reviewed and kept up to date each year; and
- (c) note that an early review of the LDS may be necessary in response to changes in national planning and housing policy.

OPTIONS CONSIDERED

13. An updated LDS is required as the formal Local Development Scheme is now of date. While the Mendip website contains updates on progress, this does not replace the formal scheme. The recommendation makes provision for scope, plans and timetable to be updated through Cabinet.

REASONS FOR RECOMMENDATIONS

14. The recommendations fulfil statutory requirements to keep local communities up to date on the production of planning policy documents.

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List of background Papers:

Report to Cabinet – 5th Dec 2016 – Strategic Housing Market Assessment

Planning and Compulsory Purchase Act 2014 – section 15 and Localism Act 2011 s111.

National Planning Practice Guidance – (Local Plans) s12 – particularly para 8 (on Plan reviews), para 9 (on the LDS) and para 12 (on the single Local Plan)

Appendix 1

Attached as a separate document