

LOCAL DEVELOPMENT SCHEME

Reporting Officer: Head of Democratic Services

SUMMARY

Cabinet on 19 November 2015 recommended Council to consider the adoption of a revised Local Development Scheme (LDS) for the Council, which sets out timescales for the production of forthcoming Local Plan documents.

RECOMMENDATION: That the revised Local Development Scheme be adopted with effect from 17 January 2016.

SUPPORTING INFORMATION

The LDS is a project plan for the production of the Local Plan and other planning policy documents. It sets out the documents that the Council intends to produce and the timescale for their production. In order to be considered legally compliant in accordance with the Planning and Compulsory Purchase Act 2004, the Council's Local Plan documents should be in general conformity with the LDS. This means that they should be listed in the LDS and prepared in accordance with the timescales set out in the document.

The previous LDS was prepared in 2009 and whilst the Local Plan Part 2 documents approved by Cabinet for Public Consultation on 24 September 2015 are listed, the timescales for document production are now out of date. A new, up to date LDS is therefore required to ensure that the Local Plan is found to be legally compliant with the necessary regulations at Examination. Not to update the LDS could result in a suspension of the examination process and a delay in the adoption of the Plan.

Financial comments

The cost of preparing the Local Development Scheme will be contained within existing revenue budgets.

Legal

The Council is required to prepare a LDS in accordance with the requirements of section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The Planning and Compulsory Purchase Act 2004 (as amended) requires the LDS to be revised at such times as the Local Planning Authority considers appropriate.

Section 19 of the Planning and Compulsory Purchase Act 2004 (as amended) requires Development Plan Documents to be prepared in accordance with the LDS. As such it is vital that the LDS is updated to ensure the Council's Local Plan can be found legally compliant in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and relevant supporting legislation.

Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires a resolution of the Council, which must specify the date from which the LDS is to have effect.

Background Papers: Cabinet reports September 2015 and November 2015