

Subject:	Further Revisions to the Local Development Scheme for the Local Development Framework 2008-2011		
Date of Meeting:	18 December 2008		
Report of:	Director of Environment		
Contact Officer:	Name:	Lisa Marshall	Tel: 29-2612
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Key Decision:	Yes	Forward Plan No. CAB6345	
Wards Affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To seek approval of the updated Local Development Scheme (LDS). This is the three year work programme for the Local Development Framework (LDF) covering the period from 2008 to 2011.
- 1.2 The scheme previously approved by the Cabinet in July 2008 has been altered in light of the announcement by the Government in July 2008 that Shoreham Harbour was to be awarded Growth Point Status which has affected the work programme.

2. RECOMMENDATIONS:

That Cabinet:

- (1) Approves the revised Local Development Scheme for submission to the Secretary of State subject to minor alterations that may be made in consultation with the Director of Environment and the Cabinet Member for Environment.
- (2) To agree that the LDS should be brought into effect following approval by the Secretary of State.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 All local planning authorities are required to submit a Local Development Scheme (LDS) under the Planning and Compulsory Purchase Act (2004). LDS's are a public statement of a local planning authority's programme for the production of local development documents that over time will replace Local Plans and form part of the Local Development Framework. The revised LDS will be submitted to the Secretary of State for approval after which it can be brought into effect.
- 3.2 The LDS includes a three year timetable showing the main stages for community and stakeholder involvement in producing Development Plan Documents (DPDs). DPDs set out policies on the development and use of land in a local authority area.
- 3.3 The council's performance is assessed annually against the LDS timetable via the Annual Monitoring Report (AMR) which is submitted to Government annually in December each year. This is necessary to meet the relevant BVPI (BV200b) and help secure future Housing and Planning Delivery Grant (PDG).
- 3.4 The most recent version of Brighton & Hove's Local Development Scheme was approved by Cabinet in July 2008. However, this scheme was not submitted to the Secretary of State due to the implications of the Shoreham Harbour 'Growth Point' announcement also made in July 2008. Following advice given by the Government Office for the South East and the Planning Inspectorate, the city wide implications of a major regeneration scheme at Shoreham Harbour need to be considered in the Core Strategy. A number of studies and updates therefore need to be undertaken to provide a sound evidence base for the Core Strategy before it can go to the next stage of preparation. These studies are currently being undertaken and will report in Spring 2009. Results will be analysed and the Core Strategy will be adjusted if necessary and further consultation would then be required.
- 3.5 SEEDA have provided funding in order to bring forward the development of a Joint Area Action Plan (JAAP) to provide the planning framework and strategy for any future development at the Harbour. The Shoreham Harbour JAAP is being prepared jointly by the city council, Adur District Council and West Sussex County Council and as a development plan document, has been added to the LDS timetable and will be subject to public consultation.

- 3.6 The main changes to the July 2008 version of the Local Development Scheme are:
- Amendments to the timetable for adoption of the Core Strategy (DPD) due to the requirement for further background research including on housing, flood risk and the potential transport impacts of the regeneration of Shoreham Harbour.
 - The addition of a Shoreham Harbour Joint Area Action Plan (JAAP) to be developed jointly with Adur District Council and West Sussex County Council
 - Amendments to the Development Policies & Site Allocations DPD as a result of delays to the Core Strategy timetable.
 - The addition of further detail regarding timetables for SPDs.

4. CONSULTATION

- 4.1 The LDS is not subject to public consultation.
- 4.2 GOSE has been consulted on the main changes proposed to the LDS.
- 4.3 The Planning Inspectorate will be consulted in order to assist with the national scheduling of public examinations for DPDs.

5. FINANCIAL & OTHER IMPLICATIONS

5.1 Financial Implications:

Preparation costs for local development documents have been identified and budget provision has been made within the City Planning division. The financial implications of each local development document will be assessed and commented upon within future reports.

Direct costs arising from the Shoreham Harbour JAAP include the funding of new staff posts in the JAAP Team based at Adur District Council and the costs of the additional background studies. These costs are being funded by SEEDA via a grant agreement with Adur District Council.

Finance Officer consulted: Derek Mansfield

Date: 11/11/08.

5.2 Legal Implications:

The Local Development Scheme, and any revisions to it, must comply with statutory requirements, notably s15 of the Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Development) (England) Regulations 2004 as amended by The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. It is considered there are no human rights implications.

Lawyer consulted: Hilary Woodward

Date: 11/11/08.

5.3 Equalities Implications:

The LDF will make the planning system more accessible and transparent to the community. The Council has already adopted a Statement of Community Involvement, which encourages effective social inclusion for all groups to influence the policy-making agenda. DPD's are subject to an Equality Impact Assessment (EQIA).

5.4 Sustainability Implications:

Sustainability considerations are central to the new planning system. Each local development document will require an integrated sustainability appraisal.

5.5 Crime and Disorder Implications:

Documents to be prepared as part of the LDF, for instance, the Core Strategy and future guidance documents will address priorities relating to the agreed Community Safety, Crime Reduction and Drugs Strategy 2005-2008.

5.6 Risk and Opportunity Management Implications:

The programme management of the LDF includes risk management procedures. A dedicated risk log is maintained, regularly monitored and updated. The proposed LDS and timetable has been risk assessed key concerns centre around risk of delay, financial and staff resource issues.

5.7 Corporate / Citywide Implications:

The LDF will help to deliver the Sustainable Community Strategy and a number of key council and city wide strategies such as the Economic Strategy. The LDS sets out a three-year programme of planning work to be undertaken against which progress will be monitored.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The main alternative options considered and evaluated in preparing the LDS relate to the type of local development documents to be prepared over the next three years, how they will be resourced, prioritised and when the key stages will be undertaken. The proposed timetable is considered the best option with the resources available.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To ensure that there is an up to date timetable for preparing development plan documents in accordance with government guidance. In addition, to ensure that minor changes can be made, in consultation with the Cabinet Member for Environment, without the need for the document to return to Cabinet.
- 7.2 Should the LDS be agreed by the Secretary of State there would be no requirement for the document to return to Cabinet for adoption.

SUPPORTING DOCUMENTATION

Appendices:

1. Revised Local Development Scheme 2008-2011 (December 2008 version)

Documents in Members' Rooms

None

Background Documents

1. Local Development Scheme, July 2008 and April 2007
2. Planning Policy Statement 12: Local Spatial Planning

