

Subject:	Revised Local Development Scheme for the Local Development Framework		
Date of Meeting:	10 July 2008		
Report of:	Director of Environment		
Contact Officer:	Name:	Lisa Marshall	Tel: 29-2612
		Project Manager (LDF)	
	E-mail:	lisa.marshall@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No. CAB 2167	
Wards Affected:	All		

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

- 1.1 To seek approval of the revised and 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.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet approves the revised Local Development Scheme for submission to the Secretary of State, subject to minor changes to the Waste and Minerals DPD timetables and minor non-material alterations that may be made in consultation with the Director of Environment and the Cabinet Member for Environment.
- 2.2 That the Cabinet approve that the Local Development Scheme 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). LDSs 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. The LDS therefore acts as a guide to when the local community and stakeholders can get involved in the plan making process.
- 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 Planning Delivery Grant (PDG). Last year's AMR shows that the council has performed well in meeting the challenging targets in the previous LDS.
- 3.4 The main changes to last year's published Local Development Scheme are:
- Adding one DPD (Waste Sites Development Plan Document) and removing adopted documents (e.g. Advertisements Supplementary Planning Document (SPD)).
 - The addition of a joint Development Policies and Site Allocations DPD instead of two separate documents.
 - Amending the timetable for adoption of the Core Strategy (DPD) due to the requirement for further background research on housing and flood risk.
 - The addition of further SPDs.
 - Updating of the background research programme which includes adding further studies now required by recent government guidance.
 - An Area Action Plan for Shoreham Harbour will be added to the LDS as soon as its detailed timetable is agreed with all parties involved in its development (Adur District Council, West Sussex County Council and the South East of England Development Agency (SEEDA)).
- 3.5 The LDS proposes that the majority of existing Brighton & Hove Local Plan, Minerals Local Plan and Waste Local Plan policies will be saved for at least three years (from adoption) or until replaced by the proposed DPDs. Saving policies beyond three years is subject to the agreement of the Government Office for the South East (GOSE). Officers are working closely with GOSE to ensure that there is a smooth transition to the new plans. Supplementary Planning Guidance notes (SPGs) will also be saved until replaced by SPDs under the new system.
- 3.6 The Waste and Minerals Development Framework documents are prepared jointly with East Sussex County Council and therefore the timetable is agreed jointly. It may therefore be subject to minor changes in consultation with the County and Government Office.

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 and is supportive of the draft LDS timetable for LDF documents.
- 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.

5.2 Legal Implications:

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

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.

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. Draft Local Development Scheme 2008-2011

Documents in Members' Rooms

None

Background Documents

1. Local Development Scheme, June 2006
2. Planning Policy Statement 12: Local Spatial Planning