



Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Overview and Scrutiny Management Board
Cabinet

11 February 2010
15 February 2010

Local Development Scheme 2010-2013

Report of the Strategic Director, Development Culture and Regeneration

1. Purpose of Report

- 1.1 To seek Cabinet's approval for revisions to the Council's Local Development Scheme and to set a date for adoption of the Revised Local Development Scheme.

2. Summary

- 2.1 Planning shapes the places where people live and work. Good planning ensures that the right development takes place, in the right location and at the right time. It helps towns and cities thrive and grow by providing jobs, homes and leisure opportunities whilst protecting and enhancing the historic environment and important open spaces. The Local Development Scheme, by setting out a timetable for the production of planning documents and guidance, helps achieve good planning by making sure the right policy framework is in place at the right time to influence the form of development in the city.

- 2.2 The Planning and Compulsory Purchase Act 2004 introduced a requirement for local planning authorities to prepare a Local Development Scheme (LDS). This is a public statement and timetable for the production of local development documents, setting out what will be produced, when and by whom. It sets out a three-year rolling programme for producing Leicester's Local Development Framework (LDF). This is the third Local Development Scheme for Leicester.

- 2.3 Leicester's first LDS was adopted in June 2005, which was replaced by the current LDS covering the period 2007 to 2010. It in turn will be replaced by the revised LDS, once adopted, which will roll forward the timetable for the production of Local Development Documents for the period 2010-2013.

3. Recommendations

- 3.1 It is recommended that:

- (i) Cabinet agrees the programme for preparation of local development documents as set out in the Draft Local Development Scheme; and

- (ii) The Local Development Scheme be submitted to the Secretary of State (Government Office for the East Midlands (GOEM)) for approval; and
- (iii) The Local Development Scheme will take effect on 22nd March 2010, subject to approval by the Secretary of State.
- (iv) Delegated authority is given to the Strategic Director, Development Culture and Regeneration in consultation with Cabinet Lead for Regeneration and Transport to make minor changes to the Local Development Scheme that may arise following submission to the Secretary of State.

4. Report

- 4.1 The Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare a local development scheme (LDS). It is a public statement and programme for the production of local development documents, which will form the new system of Local Development Frameworks (LDF). Regulations and Planning Policy Statement 12: Local Development Frameworks accompanying the Act prescribe the format and content of the LDS.
- 4.2 The Local Development Framework will enable a series of interrelated local development documents to be prepared, rather than a single document covering the whole authority area. These include Development Plan Documents (DPD) that will replace the Local Plan and be the subject of public examination, and Supplementary Planning Documents (SPD). DPDs have development plan status whilst SPDs provide additional detail for DPDs and are material considerations in determining planning applications. The new system has effective programme management as a key aim, with a requirement to produce an Annual Monitoring Report which will assess the implementation of the LDS, and the extent to which policies are being achieved.
- 4.3 The LDS should identify the key milestones and resources required to prepare development plan documents. The key milestones for DPDs are:
 - Commencement of the preparation of the DPD
 - Publication of the DPD (for consultation)
 - Submission of the DPD to the Secretary of State
 - Adoption of the DPD
- 4.4 The test of 'completion' of the LDS is whether the key milestones set out in the LDS are achieved. These key stages in preparing development plan documents are one of the indicators of efficiency of the new planning system. Future awards of Housing and Planning Delivery Grant will, in part, depend on these key milestones being met.
- 4.5 Key milestones in the revised LDS include the examination hearing for the Core Strategy DPD in April 2010 and its proposed adoption in November 2010. Once adopted the Core Strategy will set out the strategic planning framework for the City for at least the next ten years and it will reflect the spatial aspects of the One Leicester Community Strategy, the Regional Spatial Strategy and other strategies of key stakeholders in the City.

- 4.6 Work is also programmed to start on the Site Allocations and Development Management Policies DPD in October 2010. This DPD will identify land use sites needed to implement the Core Strategy such as housing and employment land. It will also set out specific criteria against which planning applications will be considered. Work on the document will continue beyond the three-year lifespan of the LDS with adoption scheduled for November 2013.
- 4.7 The City Council is working with Leicestershire County Council to produce the Joint Waste Local Development Framework. The Waste Core Strategy and Development Control Policies DPD was adopted by the Council in October 2009. The Waste Site Allocations DPD was progressed alongside the Waste Core Strategy but then held in abeyance to allow timely progression of the Core Strategy. A timetable for the completion of the Waste Site Allocations DPD has now been agreed with the County Council. Work is due to recommence in the near future with the document timetabled for adoption in February 2012.
- 4.8 Most Local Development Documents must be accompanied by a sustainability appraisal report. Sustainability appraisal is a systematic and iterative appraisal process, incorporating the requirements of the Strategic Environmental Assessment Directive. The purpose of the appraisal is to assess the social, environmental and economic effects of the strategies and policies in a local development document.
- 4.9 Following Cabinet agreement, the LDS would be submitted to GOEM for approval. Informal comments have been received from GOEM and it is anticipated that no significant issues will be raised upon formal submission.

5. Financial, Legal And Other Implications

5.1. Financial Implications

There are no significant financial implications; costs associated with preparing the Scheme are included in the main revenue budget.

Martin Judson R&C Finance ex 7390

5.2 Legal Implications

5.3 The format and content of the Local Development Scheme is prescribed by the Act and accompanying Regulations.

5.4 With regard to the preparation of the Local Development Scheme (which is effectively an overarching document) under the Local Authorities (Functions and Responsibilities) (Amendment) (No 2) (England) Regulations 2004, functions in relation to approval of the Local Development Scheme can be undertaken by Cabinet. Any documents within the Local Development Scheme which are Development Plan documents cannot be the responsibility of the Cabinet under these regulations and will therefore need to be approved by Full Council.

Anthony Cross, Assistant Head of Legal Services, Ext 6362

6. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References Within Supporting information
Equal Opportunities	N/A	
Policy	Yes	Whole report refers to production of planning policy documents
Sustainable and Environmental	Yes	Paragraph 4.8
Crime and Disorder	N/A	
Human Rights Act	N/A	
Elderly/People on Low Income	N/A	

7. Risk Assessment Matrix

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/appropriate)
N/A	N/A	N/A	Not appropriate. The Local Development Scheme (section 7.0) includes a risk assessment.

8. Background Papers – Local Government Act 1972

- The Planning and Compulsory Purchase Act 2004
- The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008
- The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009
- The Town and Country Planning (Local Development) Regulations 2004
- The Town and Country Planning (Transitional Arrangements) Regulations 2004
- The Local Authorities (Functions and Responsibilities) (Amendment) (No 2) (England) Regulations 2004
- Planning Policy Statement 12: Local Spatial Planning (2008)
- Leicester City Council Local Development Scheme June 2005
- Leicester City Council Local Development Scheme March 2007

9. Consultations Date Consulted

R&C Head of Finance	17 th December 2009
Legal	17 th December 2009

10. Report Author Rob Foers

Planner, Planning Policy & Design
Telephone: 29 8672
e-mail address: rob.foers@leicester.gov.uk

Key Decision	Yes
Reason	Is significant in terms of its effect on communities living or working in an area comprising more than one ward
Appeared in Forward Plan	Yes
Executive or Council Decision	Executive (Cabinet)