

Cherwell District Council

Executive

4 January 2016

Local Development Scheme

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek approval of an updated Local Development Scheme (LDS) for the production of the Council's planning policy documents.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the updated Local Development Scheme (LDS) (Appendix 1).

2.0 Introduction

2.1 The Local Development Scheme (LDS) is a rolling business plan for the preparation of key planning policy documents that will be relevant to future planning decisions. It outlines the programme and resources for completion and adoption of each relevant planning document. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that the Council prepares and maintains an LDS.

2.2 The LDS must specify:

- the local development documents which are to be development plan documents;
- the subject matter and geographical area to which each development plan document is to relate;
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee;
- the timetable for the preparation and revision of the development plan documents; and
- such other matters as are prescribed.

- 2.3 Development Plan Documents must be prepared in accordance with the LDS and this must be demonstrated at public examinations. The LDS will be used by officers, consultees, developers, agents and the public in determining when planning policy documents are likely to be produced by the Council and when key stages of consultation can be expected. Implementation of the LDS is monitored through the Annual Monitoring Report process (see separate item on this agenda) and the LDS is periodically reviewed if there are significant changes in circumstances.
- 2.4 The LDS has been updated to take account the adoption of Local Plan Part 1, ongoing countywide work to consider the unmet housing needs of Oxford City and a review of the timetables for the production of Local Plan Part 2, the Partial Review of Local Plan Part 1 (to contribute in meeting Oxford's needs), the preparation of a potential Community Infrastructure Levy and a number of Supplementary Planning Documents (SPDs). It revises that approved by the Council's Lead Member for Planning on 25 November 2014.

3.0 Report Details

- 3.1 An updated Local Development Scheme (LDS) is presented at Appendix 1.
- 3.2 The Council's key planning policy documents will be as follows:
- Cherwell Local Plan 2011-2031 (Part 1) – complete and adopted by the Council on 20 July 2015. Comprises the main strategy document containing strategic development sites and policies.
 - Cherwell Local Plan 2011 – 2031 (Part 2): Development Management Policies and Sites – under preparation. Will contain detailed planning policies for considering planning applications and non-strategic site allocations. Upon adoption by the Council it will become part of the statutory Development Plan (see separate item on this agenda);
 - Partial Review of Cherwell Local Plan 2011-2031 (Part 1) - under preparation. Will contain a supplemental planning strategy and strategic development sites in order for the district to contribute in meeting the identified unmet housing needs of Oxford City (see separate item on this agenda);
 - Adopted Policies Map – a map of Cherwell which illustrates geographically the application of the policies in the adopted development plan.
 - Community Infrastructure Levy (CIL) Charging Schedule – under preparation for consideration. Comprises a schedule of charges for contributions to off-site infrastructure, payable by developers. A preliminary draft charging schedule will be presented to the next meeting of the Executive.
 - Supplementary Planning Documents (SPDs) – in preparation. SPDs expand upon and provide further detail to policies in Development Plan Documents. The following SPDs are being, or will be, prepared:

- North West Bicester SPD
 - Bicester Masterplan SPD
 - Banbury Masterplan SPD
 - Kidlington Masterplan SPD
 - Banbury Canalside SPD
 - Bolton Road Development Area, Banbury SPD
 - Developer Contributions SPD
 - Sustainable Buildings in Cherwell SPD
- Annual Monitoring Reports (AMRs) – produced each year to monitor progress in producing Local Development Documents and implementation of policies (see separate item on this agenda);
 - Statement of Community Involvement (SCI) – replacement SCI under preparation. Sets out how communities and stakeholders can expect to be engaged in the preparation of planning documents and in the consideration of planning applications. The existing SCI was adopted by the Council in 2006 (see separate item on this agenda).

3.3 The main changes in the LDS, compared to that approved by the Lead Member for Planning in November 2015, are as follows:

1. updated programmes for each planning policy document. Of these, the three most significant projects are presently:
 - a) the preparation of a potential Community Infrastructure Levy (CIL) for consideration by Members. The LDS provides for formal submission in August 2016 and potential final approval in April 2017 but this is subject to the Council's future decision on whether or not to introduce CIL.
 - b) Local Plan Part 2. The LDS provides for preparation over the course of 2016 with consultation on a Proposed Submission document in February 2017. This would enable submission to the Secretary of State for public examination in June 2017 and adoption in 2018.
 - c) Partial Review of Local Plan Part 1 (to contribute to Oxford's unmet housing needs). This is to meet the commitment in the Local Plan to complete a partial review within two years of adoption (from July 2015) and in the context of on-going countywide work through the Oxfordshire Growth Board. The LDS provides for consultation on a Proposed Submission document in April 2017 thereby enabling submission to the Secretary of State for public examination in June 2017;
2. a new section in the LDS explaining the purpose and on-going work of the Oxfordshire Growth Board as a 'joint committee' under the Local Government Acts 1972 and 2000. The countywide work examining Oxford's unmet housing need and its associated distribution across the County is not expected to be completed by the Growth Board until Summer 2016;
3. an updated position on Neighbourhood Planning in the District.

- 3.4 The LDS provides a programme schedule for each project providing the geographical area affected by the document, the status of the document, the timetable for production, a brief summary of the management arrangements and service resource and the monitoring and review mechanism.

4.0 Conclusion and Reasons for Recommendations

- 4.1 An updated Local Development Scheme (LDS) has been prepared. It provides a programme for the preparation of the Council's key planning policy documents that will be relevant to future planning decisions and, where applicable, the public examination of those documents. The Council has a statutory responsibility to prepare and maintain an LDS. The LDS will be used by officers, the public, partners, developers and other stakeholders to monitor the production of documents to plan for associated consultations. Approval of the LDS is needed to assist project management and ensure that the Council meets its statutory responsibilities for plan-making.

5.0 Consultation

Internal briefing: Councillor Michael Gibbard, Lead Member for Planning

6.0 Alternative Options and Reasons for Rejection

- 6.1 *Not to approve the LDS*

The Council has a statutory responsibility to maintain an LDS. Not to approve the LDS could undermine the confidence of the public and stakeholders about the Council's plan-making programme. The LDS would need to be re-presented to the Executive at a future meeting or to the Lead Member for Planning.

- 6.2 *To reconsider the content of the LDS*

The LDS has been prepared having regard to the Council's statutory responsibilities and current resources. It is considered by officers to be appropriate for the present and foreseeable circumstances.

7.0 Implications

Financial and Resource Implications

- 7.1 The work on preparing the Partial Review is to be met within existing budgets.

Comments checked by:

Paul Sutton, Head of Finance and Procurement, tel. 0300-003-0106

Paul.Sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Partial Review must be prepared having regard to statutory requirements. Legal support will be required throughout the preparation process. This will require both internal advice and that of external Counsel for the public Examination.

Comments checked by:

Nigel Bell, Team Leader – Planning, 01295 221687

nigel.bell@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

Accessible, Value for Money Council
District of Opportunity
Safe and Healthy
Cleaner Greener

Lead Councillor

Councillor Michael Gibbard, Lead Member for Planning

Document Information

Appendix No	Title
1	Local Development Scheme January 2016
Background Papers	
None	
Report Author	David Peckford, Planning Policy Team Leader
Contact Information	01295 221841 david.peckford@cherwell-dc.gov.uk