

PLANNING POLICY AND LOCAL PLAN COMMITTEE

23 JANUARY 2023

REPORT OF THE DIRECTOR OF PLANNING

A.1 – LOCAL DEVELOPMENT SCHEME 2023-2027

(Report prepared by Paul Woods)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Planning Policy & Local Plan Committee's agreement to publish a new 'Local Development Scheme' (LDS) to update the proposed timetable for preparing planning documents including the Local Plan Review and the Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community (TCBGC).

EXECUTIVE SUMMARY

The purpose of the Local Development Scheme (LDS) is to set out an indicative timetable for preparing key Planning documents. It is particularly useful for the public, partner organisations and third parties to understand the broad programme of work and how the Council proposes to resource and manage it.

The LDS covers the review of the Local Plan, the preparation and adoption of Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD), and the production of other key planning documents. It includes the anticipated timetable of consultation periods, examinations and expected dates of adoption. Publishing the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the timetable the Council is working to, and can therefore forward plan and organise their time and resources accordingly.

National policy requires a Local Plan to be reviewed within 5 years of its adoption. The timetable for reviewing our Local Plan begins in 2023, in order for each of the statutory stages (including Examination by a Planning Inspector) to be completed ready for adoption by January 2027. The indicative timetable for the TCBGC DPD has also been updated to reflect the most recent stages of work that have been completed and the anticipated timeframes of the next steps – with adoption of that document anticipated in the winter of 2023/24.

RECOMMENDATION

That the Planning Policy and Local Plan Committee approves the updated Local Development Scheme (LDS) 2023-2027 (attached as Appendix 1) for publication on the Council's website.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Priorities within the Corporate Plan 2020-2024 include the Garden Community, having effective Planning policies and having a proactive Planning service. Having an up-to-date framework of Planning policies, other Planning documents and supplementary guidance in place is critical to achieving such priorities and the LDS is a requirement of Local Authorities to set out the timescales and resources required to achieve that.

RESOURCES AND RISK

The Local Development Scheme (LDS) has been prepared by the Council's Officers in the Planning Policy Team within the agreed Local Plan Budget. The LDS itself identifies the resources required to progress the Local Plan Review and the Garden Community DPD. Without an up to date LDS containing a realistic timetable for reviewing the Local Plan and preparing other Planning documents, it will be difficult to ensure the Council makes the most efficient use of its resources.

The LDS itself contains an assessment that identifies the possible risks to delivering the Local Plan Review and other Planning documents on time and the likelihood and potential impact of these risks which include public opposition, the loss or turnover of Planning staff, a financial shortfall, changing political priorities and legal challenges.

LEGAL

Every Local Planning Authority must prepare and maintain a Local Development Scheme (LDS) in accordance with section 15 of Planning and Compulsory Purchase Act 2004 (as amended). The LDS is the Council's rolling project plan (often covering a period of three years) for producing its Local Development Documents and sets out a timetable for their delivery.

The LDS must specify (among other matters) the development plan documents (i.e. local plans) which, when prepared, will comprise part of the development plan for the area. Local planning authorities are encouraged to include details of other documents which form (or will form) part of the development plan for the area, such as Neighbourhood Plans. The Local Development Scheme must be made available publicly and kept up-to-date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website.

OTHER IMPLICATIONS

Area or Ward affected: All wards.

Consultation/Public Engagement: The Local Development Scheme (LDS) sets out the anticipated timetable for public consultation on the Local Plan Update and other planning documents.

PART 3 – SUPPORTING INFORMATION

Background

The Local Development Scheme (LDS) is designed to set out the process for preparing key Planning documents. It includes the anticipated timetable of consultation periods, examinations and expected dates of adoption for the Local Plan Review and the Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD). Publishing the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the timetable the Council is working to and can organise their time and resources accordingly. The LDS is usually updated to cover three-year cycles of Plan preparation.

Following the adoption of Section 1 of the Local Plan in January 2021 and Section 2 in January 2022, the main focus of the LDS is now the 5-year review of the Local Plan as well as the TCBGC DPD.

The review of the Local Plan will follow the same statutory process as the preparation of the Local Plan itself. A the provision timetable which covers the period 2023-2026 is proposed, enabling the updated Local Plan to be examined by a Planning Inspector and adopted before January 2027.

The timetable for the Garden Community DPD has also been updated, reflecting the stages that have now been completed to date and the revised timescale for the subsequent steps. With adoption of that document anticipated in the winter of 2023/24.

The LDS includes broad timescales for the following Supplementary Planning Documents and Neighbourhood Plans:

- Hartley Gardens SPD
- Jaywick Sands Design SPD
- Open Space SPD
- Climate Change SPD
- Elmstead Market Neighbourhood Plan and Neighbourhood Development Order
- Ardleigh Neighbourhood Plan
- Brightlingsea Neighbourhood Plan
- Community Infrastructure Levy (CIL) Charging Schedule

APPENDICES

Appendix 1 – Local Development Scheme (LDS) 2023-2027.