

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	11 October 2017
<b>Subject:</b>	Local Development Scheme
<b>Report of:</b>	Annette Roberts, Head of Development Services
<b>Corporate Lead:</b>	Robert Weaver, Deputy Chief Executive
<b>Lead Member:</b>	Lead Member for Built Environment, Councillor Mrs E J MacTiernan
<b>Number of Appendices:</b>	One

## **Executive Summary:**

The Tewkesbury Borough Local Development Scheme outlines the timetable for preparing statutory development plan documents in the Borough. The published version (adopted by the Council in April 2013) requires revision as the timetable is now out of date following an extended examination of the Joint Core Strategy and to incorporate the latest timescales for the Tewkesbury Borough Plan.

## **Recommendation:**

**That it be RESOLVED that the updated Local Development Scheme for Tewkesbury Borough, attached to the report at Appendix 1, be ADOPTED and take effect immediately.**

## **Reasons for Recommendation:**

In order to fulfil the Council's statutory duty to set out to prepare and maintain a Local Development Scheme setting out the project timetable for preparing and revising development plan documents ('Local Plan').

## **Resource Implications:**

Resource implications for preparing the statutory development plan documents are not affected by updating the Local Development Scheme (LDS).

## **Legal Implications:**

The preparation and maintaining of a Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004. This must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area and the timetable for the preparation and revision of those documents. The Local Plan, together with Neighbourhood Plans, make the Development Plan for the Borough.

**Risk Management Implications:**

The main risk associated with the Local Development Scheme relates to the failure to reach key milestones in the time specified and the not updating these causing delay to the progression of the development plan documents identified, as such development plan documents when examined need to be prepared in accordance with the Local Development Scheme.

**Performance Management Follow-up:**

To be monitored through the Authority Monitoring Report.

**Environmental Implications:**

The Local Development Scheme provides organisations and individuals with responsibilities/interests in environmental issues with information as to when they can get involved with planning policy processes in the Borough and kept track of progress of the same.

**1.0 INTRODUCTION/BACKGROUND**

- 1.1 Local Planning Authorities are required by law to prepare, publish and maintain a Local Development Scheme (LDS) setting out the timetable for preparing statutory development plan documents, which form the Local Plan.
- 1.2 The Council's first LDS prepared in March 2005 and was subsequently revised in November 2009 and April 2013 (2013 LDS). It had been anticipated in the 2013 LDS, on information available at that time and looking for the shortest timescales possible, that the JCS would be submitted in August 2014 and adopted in December 2014.
- 1.3 The JCS was submitted for examination in November 2014 and has been at examination since that time. Hearings on proposed main modifications took place in July 2017. On the basis that there will be no further hearings and the Inspector will be moving to her Final Report, an updated LDS to incorporate the steps to date and to the anticipated date of adoption is required in order for statutory requirements in respect of the LDS to be met.
- 1.4 With the TBP being dependent on the JCS higher level policy to shape its content and its timetabling needing to follow after the preparation stages of the JCS, the 2013 LDS anticipated submission of the TBP in February 2015 and adoption in August 2015. The LDS now needs to reflect the changes to the timetable.

**2.0 LOCAL DEVELOPMENT SCHEME PURPOSE**

- 2.1 The purpose of the LDS is to set out the documents that will comprise the Local Plan and which will be prepared by Tewkesbury Borough Council. It also needs to give details as to what they will contain and their production schedule. It is important that plans for the future of the Borough are produced in a timely and efficient manner. If they are not, development which is necessary for the Borough's continued growth and prosperity may be delayed or abandoned, the coordination of housing development and infrastructure provision may be difficult to achieve and there is the potential for development to be approved on appeal in locations that the Council does not consider suitable.

- 2.2** The Development Plan Documents that will make up Tewkesbury Borough Council's Local Plan (as already set out in the current LDS) are:
- the Joint Core Strategy (strategic level document allocating large scale housing and employment sites – covers matters relating to Gloucester, Cheltenham and Tewkesbury areas); and
  - the Tewkesbury Borough Plan (Borough level document looking at issues specific to Tewkesbury Borough, for example non-strategic development/site allocations, rural housing and economic strategies).
- 2.3** The 2013 LDS presented a timetable that sought to put these plans in place as soon as possible, whilst incorporating a number of statutory consultation stages as well as the production of a robust evidence base within the resources available.
- 2.4** Neighbourhood Development Plans also form part of the Development Plan for Tewkesbury Brough and a number of plans have been 'made' or are currently in production. Although eventually adopted by the Borough Council, Neighbourhood Development plans are developed by local communities. Therefore, these plans are not directly progressed by the Borough Council and the timescales for their development is largely dependent on local communities. As such, the LDS does not contain detail on the timetables for any emerging plans.

### **3.0 DEVELOPMENT PLAN PREPARATION STAGES**

- 3.1** An updated LDS is presented at Appendix 1 to this report. It contains the latest timetable for the production of the Joint Core Strategy and the Tewkesbury Borough Plan. The key milestones for each are provided below.
- 3.2** The key stages for the **Joint Core Strategy** are:
- Inspector's Final Report – Autumn 2017.
  - Adoption – Late 2017/Early 2018.
- 3.3** The key stages for the **Tewkesbury Borough Plan** are:
- Preferred Options Consultation – Early 2018.
  - Pre-Submission Consultation – Summer 2018.
  - Submission to Secretary of State – Summer/Autumn 2018.
  - Examination – Winter 2018/19.
  - Adoption – Spring/Summer 2019.

### **4.0 OTHER OPTIONS CONSIDERED**

- 4.1** None.

### **5.0 CONSULTATION**

- 5.1** The preparation and maintaining of an LDS does not require public consultation as it is effectively the Council's work plan.

## **6.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

- 6.1** Emerging Joint Core Strategy.  
Emerging Tewkesbury Borough Plan.  
Tewkesbury Borough Local Plan to 2011.

## **7.0 RELEVANT GOVERNMENT POLICIES**

- 7.1** Planning and Compulsory Purchase Act 2004.  
Localism Act 2011.  
National Planning Policy Framework (2012).  
Town and Country Planning (Local Planning) (England) Regulations 2012).

## **8.0 RESOURCE IMPLICATIONS (Human/Property)**

- 8.1** The LDS is based upon adequate resources being available to satisfactorily complete each stage of the work. This includes Planning Policy Team and other staff input; evidence base; assessments/appraisals; communications/materials/publicity; and community involvement.

## **9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

- 9.1** None directly related to this report, although a development plan led approach to development will help ensure that new development is supported by the necessary facilities and infrastructure. The adoption of the JCS and the TBP will remain matters to be decided by the Council.

## **10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**

- 10.1** The timetables set out in the LDS need to reflect the statutory and democratic processes that govern plan preparation combined with the resources available to undertake the work.

## **11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

- 11.1** 16 April 2013 – approval of LDS by Council (from 6 March 2013 Executive Committee recommendation).
- 11.2** 19 September 2017 – delegation by Council to Executive Committee to update LDS.

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**Background Papers:** None.

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**Appendices:** 1 – Tewkesbury Borough Local Development Scheme October 2017.