

LOCAL DEVELOPMENT SCHEME AND LOCAL PLAN REVIEW UPDATE

Portfolio Holder Cllr Richard Chesterton
Responsible Officer Head of Planning and Regeneration

Reason for Report:

To propose a revised timetable for the review of the Local Plan in the Local Development Scheme (LDS) for Mid Devon and to seek funding approval for additional technical work to inform the submission document.

RECOMMENDATIONS

1. That the new LDS (as shown at Appendix 1) be approved; and
2. That financial approval be given to undertake additional technical work as set out below in the report.

Relationship to Corporate Plan: The new LDS, appended to this report, sets out a revised timetable for the delivery of the Mid Devon Local Plan 2013-2033. The new Local Plan will set the strategy for the provision of new development in the district, allocating sites for housing, employment and retail, as well as protection of the environment. This meets the Corporate Plan objectives of delivering a 'Thriving Economy', 'Better Homes' and 'Caring for the Environment'.

Financial Implications: Additional funding approval is sought from Cabinet to finance additional technical work to address issues raised following the local plan consultation and as a result of ongoing liaison with statutory consultees.

Legal Implications: There is a statutory duty to produce and maintain a LDS, as set out by the Planning and Compulsory Purchase Act 2004.

Risk Assessment: The allocation of resources to deliver a new Local Plan in an accelerated timescale has previously been agreed. The additional funding invested in the production of the reviewed Local Plan will not guarantee the plan is found sound at examination or that the predicted timetable for adoption can be met.

1.0 Introduction

1.1 Local Planning Authorities are required to prepare and keep up to date a development plan for their area. It is important that the Local Plan is kept up to date to ensure that it reflects recent changes in the planning system, the Council's current corporate objectives and provides a sound basis for decision making. Therefore a project plan needs to be put in place to ensure the review is completed efficiently.

1.2 The Planning and Compulsory Purchase Act 2004 requires local authorities to prepare and maintain a LDS for the district. The LDS provides interested people and organisations with the Council's project plan for the preparation of

local development documents. The Council's adherence to the LDS is part of the tests of soundness applied to Local Plans at their examinations.

- 1.3 The purpose of this report is to present a revised version of the LDS which reflects the continuing need to prepare a new Local Plan as quickly as possible, but takes account of a delay in reaching the submission stage owing to the need to acquire additional technical evidence. This delay also provides an opportunity to ensure the plan is still up to date following changing national guidance.
- 1.4 During the consultation period of the Local Plan (February – March 2015) 2,429 comments were received by 970 respondees. Comments were received with respect to general policies, allocated development sites and alternative site suggestions such as at Junction 27. There were comments for and against development proposals, with the larger sites generally attracting more interest. In response to these representations, and as a result of ongoing discussions with statutory consultees, additional technical work is now required prior to submission of the Local Plan to the Secretary of State to ensure that our position is robust.
- 1.5 This technical work primarily relates to access arrangements to the proposed East Cullompton Urban Extension and related motorway access improvements. This would involve a topographical survey, preparation of detailed highway designs and related flood modelling assessments. Detailed work of this nature is not normally required at this stage in the planning process, however because of previous flood events, the Environment Agency wishes to understand in more detail the implications of any scheme crossing the floodplain at Cullompton in terms of the floodplain and flood flows. To this end detailed design and flood modelling work is required and must be completed to their satisfaction. The Environment Agency will not support the plan as proposed without the detailed design and flood modelling work being undertaken on the Cullompton highway arrangements, in so far as they cross the flood plain.
- 1.6 The requirement for detailed design work at the development plan stage of the planning process was not anticipated and the time required to complete this complex work is estimated to delay the submission of the plan by about 6-7 months. The work would be commissioned by Devon County Council. Mid Devon District Council's contribution towards this work is being finalised, but estimated to be between £80,000 and £90,000. An update will be provided at the meeting. Further additional work will also be undertaken within existing budgets to update our technical evidence base and ensure the plan reflects the latest government policy position. The technical work needed to inform the submission document is due for completion by April/May 2016.
- 1.7 The Cabinet Report of 9th May 2013 'Planning policy documents for consideration by the Planning Policy Advisory Group, Cabinet and Council' (Agenda Item: 7), states that Cabinet is the only body that needs to give approval to the adoption of a new LDS. There is no longer a requirement for the LDS to be signed off by the Secretary of State. If approved, the new LDS will be made available on the Council's website.

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Circulation of the Report: Councillor Richard Chesterton

List of Background Papers: The previous LDS can be viewed on the Mid Devon website by following this link:

<https://new.middevon.gov.uk/planning-policy/local-development-scheme-future-page/>

Mid Devon District Council Local Development Scheme 2015

1. INTRODUCTION

1.1 Mid Devon District Council is required to prepare and maintain a Local Development Scheme (LDS) for the district. The LDS provides interested people and organisations with the Council’s project plan for the preparation of local development documents. The Planning and Compulsory Purchase Act 2004 states that 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 relates
- The timetable for preparation and revision of the development plan documents

1.2 Local authorities can update their LDS at such times as considered appropriate. The previous Mid Devon version has been in place since October 2014. Since this time the Council has followed an accelerated timetable for the review of the Local Plan.

2. THE LOCAL PLAN

2.1 The National Planning Policy Framework (NPPF) states that Local Plans are key to delivering sustainable development and that local authorities should produce a Local Plan for their area. The Local Plan can then be reviewed in whole or in part to respond flexibly to changing circumstances.

2.2 Mid Devon’s Local Plan is currently made up of three parts, all of which are development plan documents. The three documents are:

Document	Adopted	Scope	Subject matter
Local Plan Part 1 - Core Strategy 2006 to 2026	July 2007	Mid Devon	The Core Strategy is part 1 of the district’s Local Plan. It was adopted in accordance with the timetable set out in the Council’s first Local Development Scheme. It sets out a spatial strategy and strategic policies for Mid Devon and its settlements.
Local Plan Part 2 – Allocations and Infrastructure Development Plan Document (AIDPD)	October 2010	Mid Devon	The AIDPD is part 2 of the district’s Local Plan. It allocates sites for housing, retail and employment development, whilst setting necessary infrastructure requirements, with policies on the Community Infrastructure Levy, public open space, affordable housing, education provision, green infrastructure and carbon footprint reduction.
Local Plan Part	October	Mid	LP3 is part 3 of the district’s Local Plan. It provides

3 – Development management policies (LP3)	2013	Devon	the detailed development control policies to deal with the specifics of planning applications
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2.3 Supplementary Planning Documents (SPDs) are not part of the Local Plan, nor are they considered to be development plan documents. Therefore, information on their production is not set out within the LDS. Instead, such information can be found on the Mid Devon website at <https://new.middevon.gov.uk/planning-policy/supplementary-planning-documents/>.

2.4 The former Devon Structure Plan 2001-2016 (adopted October 2004) and the South West Regional Spatial Strategy (draft, never adopted) have both been revoked by the Government so their provisions no longer apply.

3.0 NEW LOCAL PLAN

Local Plan Review (Core Strategy, AIDPD and LP3)

Adoption Target: 2017

3.1 The existing Core Strategy has been in place for eight years and the AIDPD for five years. A review process began prior to the adoption of LP3 in October 2013 to reflect the need to adhere to the provisions of the National Planning Policy Framework. This review process includes all strategic policies and allocations for the district, and incorporates development management policies such as those in LP3. The updated document will replace the existing Core Strategy, the AIDPD and LP3 to produce a single Local Plan for the district (effectively a review of parts 1, 2 and 3 of the current Local Plan). The new document will extend the time period of the plan to 2033.

3.2 The reviewed Local Plan will contain:

- Strategic policies guiding housing, employment and retail distribution across the district;
- The development focus for each of the three towns of Tiverton, Crediton and Cullompton, the villages of the district and the open countryside;
- Site allocations for housing, employment, retail development, community facilities and infrastructure; and
- Development management policies.

3.3 The evidence base for the Local Plan will include a Strategic Housing Land Availability Assessment, Strategic Housing Market Assessment, Open Space and Play Area Strategy, Viability Assessment, Gypsy and Traveller Accommodation Assessment, Renewable and Low Carbon Energy Screening Study, Landscape Character Assessment, Habitat Regulations Assessment, Transport Assessment, Town and Village Character Assessment, Retail Study, Employment Land Review, Infrastructure Delivery Plan and Strategic Flood Risk Assessment. A Community Infrastructure Levy charging schedule is also being produced alongside the Local Plan review.

3.4 Coverage: Mid Devon

3.5 Conformity: the document will be produced in conformity with the National Planning Policy Framework.

3.6 The following table sets out the timetable for production and adoption of the document:

Stage	Date
Sustainability Appraisal Scoping	May 2013 (completed)
Preparation Stage Consultation	January 2014 (completed)
Publication Stage Consultation	February – April 2015 (completed)
Submission	June 2016
Hearings	September 2016
Adoption	January 2017
Revision	2020

4.0 PROGRESS REPORTING

4.1 The Council produces an Annual Monitoring Report (AMR) in December each year, covering the 'monitoring year' (of the preceding April-March period). The AMR sets out the list of documents that are included within the LDS, their timetable for preparation, the stage they are currently at, and if they are behind schedule the reasons for this.

4.2 The AMR is made available on the Mid Devon website and can be seen at:

<https://new.middevon.gov.uk/planning-policy/monitoring/>

5.0 REVIEW OF THE LOCAL DEVELOPMENT SCHEME

5.1 The Planning and Compulsory Purchase Act 2004 states that local authorities can revise their LDS at such times as they consider appropriate. The Mid Devon District Council website will be updated to set out if the LDS has been subject to further revision. Proposed changes are subject to ratification by Cabinet.

Appendix 2 – Local Plan Preparation Schedule

Local Plan Preparation schedule	April/May 2016	June 2016	July 2016	September 2016	January 2017
Complete additional technical work and consider need for modifications					
Submission to Secretary of State					
Position statements, revise Schedule of Minor Mods					
Examination hearings					
Cabinet and Council for adoption					

NB – Completed stages of the Local Plan Preparation Schedule have been deleted from the schedule.