

REPORT OF THE HEAD OF PLANNING AND REGENERATION

LOCAL DEVELOPMENT SCHEME

Portfolio Holder Cllr Richard Chesterton
Responsible Officer Mrs Jenny Clifford, 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.

RECOMMENDATIONS

1. That the revised Local Development Scheme (as shown at **Appendix 1**) be approved.

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 priorities: 'Economy', 'Homes', 'Community' and 'Environment'.

Financial Implications: The report itself has no direct financial implications, however the preparation of planning policy documents have associated production costs. There is currently a budget for the examination of the Local Plan within the planning service.

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 Local Plan Review will be subject to examination in 2017 prior to adoption. It could be subject to challenge during the examination process, if it can be demonstrated that it was not drawn up in compliance with the LDS. The proposed LDS provides an accurate, updated timetable for production of the Local Plan Review.

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 the authority 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 takes account of the delay in reaching the submission stage. This is due to the need to acquire additional technical evidence and the proposed allocation of land at Junction 27 for mixed use leisure, tourism and associated retail.
- 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. 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 being undertaken 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 involves a topographical survey, updating of the base flood model, preparation of detailed highway designs and subsequent flood modelling. The Environment Agency is expected to agree the base flood model early in January 2017.
- 1.6 On 22nd September 2016, Mid Devon District Council resolved to propose an allocation of land at Junction 27 of the M5 for mixed use leisure, tourism and associated retail. This proposed allocation constitutes a major modification to the Local Plan Review and consequently, a further stage of public consultation is required. The LDS has been revised to take into account the following considerations:
- Amending and rewriting all the inter-related parts of the plan, policies and tables together with amending the Sustainability Appraisal, Habitat Regulations Assessment, Infrastructure Plan, Heritage Impact Assessments and further Duty to Cooperate Meetings;
 - Publishing and preparing for consultation;
 - A six week period of consultation, which will begin on 3 January 2017, closing on 14 February 2017;
 - Representations catalogued and summarised; and
 - Submission to Planning Inspectorate at the end of March 2017.
- 1.7 The Cabinet Report of 9 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.

Contact for any more information	Adrian Welsh, Forward Planning Team Leader 01884 234344 awelsh@middevon.gov.uk
Background Papers	Cabinet November and December 2014; Council January 2015; Council 22 nd October 2015; Cabinet 15 th September 2016; Council 22 nd September 2016.
File Reference	
Circulation of the Report	Councillor Richard Chesterton, Cabinet Member for Planning & Regeneration Management Team

Mid Devon District Council Local Development Scheme 2016

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 2015. Since this time the Council has been undertaking a 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	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.

(AIDPD)			
Local Plan Part 3 – Development management policies (LP3)	October 2013	Mid Devon	LP3 is part 3 of the district’s Local Plan. It provides the detailed development control policies to deal with the specifics of planning applications

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 nine years and the AIDPD for six 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)
Modifications Consultation	January – February 2017
Submission	March 2017
Hearings	September 2017
Adoption	January 2018
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	November - December 2016	January - February 2017	March 2017	April – July 2017	September 2017	January 2018
Complete additional technical work and consider modifications						
Modifications Consultation						
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.