

CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 2 December 2008
Report of: Chris McCarthy Interim Strategic Director Places
Title: Cheshire East Local Development Scheme

1.0 Purpose of Report

- 1.1 The purpose of this report is to reconsider the Draft Local Development Scheme for Cheshire East.

2.0 Decision Required

- 2.1 To agree the submission of the amended Draft Local Development Scheme for approval by full Council on 9 December 2008.

3.0 Financial Implications for Transition Costs

- 3.1 None.

4.0 Financial Implications 2009/10 and beyond

- 4.1 The costs of the Local Development Scheme will be in staff time. The implementation of the programme will require substantial staff and budgetary resources as yet undefined.

5.0 Legal Implications

- 5.1 The preparation of a Local Development Scheme and certain Local Development Framework documents is a statutory requirement set out in the 2004 Planning and Compulsory Purchase Act. The Draft Transitional Regulations require Cheshire East to submit a Local Development Scheme to the Secretary of State for Communities and Local Government before end of December 2008. The same Regulations will transfer Local Development Framework powers to the Cheshire East Council at the end on November 2008.

6.0 Risk Assessment

- 6.1 The Draft Local Development Scheme contains a full Risk Assessment. Final approval of the Scheme rests with the Secretary of State.

7.0 Background and Options

- 7.1 Local Development Schemes are a feature of the reformed local planning system introduced by the Planning and Compulsory Purchase Act (2004). The introduction of the Local Development Scheme was a direct response by Government to ensure that Local Development Frameworks are better managed, with local development documents being prepared and reviewed more quickly than development plans under the old system.
- 7.2 The Local Development Scheme is a public statement of the local planning authority's programme for the production of local development documents. For local authorities, the Local Development Scheme serves as a programme management tool, encouraging the successful and timely delivery of a number of inter-related projects (local development documents). The Local Development Scheme is essentially a three year project plan, with the timetable of milestones used to manage resources, drive progress, and inform stakeholders
- 7.3 The Draft Local Development Scheme was considered at the last meeting of the Places Advisory Panel on 22 September 2008. It was agreed that it would be recommended for approval by Cabinet and Council.
- 7.4 At its meeting on 15th October 2008, Congleton Borough Council resolved that representations be made to Cheshire East Council to include the following items in the proposed Local Development Scheme:-
- (a) An Area Action Plan for Congleton Town Centre with appropriate resources allocated once the Core Strategy is sufficiently advanced.
 - (b) An Area Action Plan for Middlewich Canal Corridor with resources allocated once the Core Strategy is sufficiently advanced.
 - (c) A Town Design Statement for Sandbach as a community led approach, with work to start in November 2008 and appropriate resources allocated.

In addition, the Council asked that the urgent need for additional employment land to be allocated for the Congleton town area be communicated to the Cheshire East Council.

- 7.5 At the Cheshire East Council meeting on 22 October 2008 the Local Development Scheme item was withdrawn from consideration by the Portfolio Holder, Councillor David Brown.

- 7.6 One of the most important tasks for the new Council will be the preparation of a Core Strategy which should set out, in accordance with the principles now confirmed within the adopted Regional Spatial Strategy, the hierarchy of settlements, the type of development which will be encouraged in each category of settlement and the priorities for regeneration, renewal and development within settlements.
- 7.7 At the meeting of the Local Development Framework Task Group held on 28 October 2008, officers outlined the importance of completing the Core Strategy and highlighted that this should be the first priority for the Local Development Scheme. Resources available to carry out Local Development Framework work are not yet known and the inclusion of additional documents could compromise work on other priorities. Members expressed that significant efforts had already been made in progressing these documents and Congleton's risk assessment of its own LDF had indicated that they were still needed. Inclusion of such documents in the Cheshire East Local Development Scheme would also provide some continuity for partners and avoid any negative perceptions of the new Authority. Macclesfield and Crewe & Nantwich Borough Councils had taken a different approach and had not progressed LDF schemes during 2008. Consequently, other important issues in these areas were as yet unknown and would need to be addressed through the Local Development Scheme. These issues would become apparent as the Core Strategy developed.
- 7.8 At the Task Group meeting it was agreed to include the three documents in the Local Development Scheme. It was also, however, made clear that Core Strategy work should take priority. The Minutes of the Local Development Framework meeting are as follows –

Cheshire East Local Development Scheme

At the meeting of the LDF member task group held on 28 October it was agreed that:

- The three additional items requested by Congleton Borough Council for inclusion in the Cheshire East Local Development Scheme (for Congleton town centre, the Middlewich Canal corridor and Sandbach) be agreed and included in the 2008 submission.
- LDS would make it clear that the preparation of the Core Strategy will take priority until it is sufficiently advanced.
- Once spatial priorities emerge from the Core Strategy across Cheshire East, plans and policies will be prioritised and resources allocated accordingly.
- This approach to the LDS should be agreed with the Government Office for the North West.

The Advisory Panel on 12th November agreed the recommendations from the Task Group.

An amended draft Local Development Scheme has therefore been produced in accordance with the recommendations of the Places Advisory Panel and is attached as Appendix 1 to this report. The amended draft has been referred to the Government Office for the North West but at the time of report writing, no response had been received. Any response subsequently received will be reported orally at your meeting.

The amended draft Local Development Scheme proposes that the work programme for the first three years should comprise:

- Core Strategy – sets out the Vision, Objectives, Core Strategy and Core Policies for the spatial development of the area.
- Site Allocations- contains detailed policies and proposals to deliver and guide land allocated for specific purposes.
- Minerals Allocations - Contains the detailed development control policies and allocations for Minerals development, where applicable.
- Congleton Town Centre Area Action Plan, when the Core Strategy is sufficiently advanced.
- Middlewich Canal Corridor Area Action Plan, when the Core Strategy is sufficiently advanced.
- A range of Supplementary Planning Documents.

A full Risk Assessment of the Document has been carried out and is set out in Section 12. The key risks identified are: Staff turnover /inability to recruit / loss of staff /staff motivation / staff absence; National / regional changes to policy through Planning Policy Statements/Regional Spatial Strategy etc; adequate staff/ financial resources being put in place.

The Local Development Framework needs to be based on a sound, relevant and up to date evidence base. This evidence base is the information that will be used to support the policies contained within the LDF The draft Local Development Scheme (Section 8) accordingly identifies a number of documents which will be prepared or updated to provide the evidence base for the Cheshire East Local Development Framework.

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 The Local Development Scheme needs to be submitted by the end of 2008 and agreed as soon as possible prior to Vesting Day to inform planning policy preparation work towards the Core Strategy and other elements of the Local Development Framework.

9.0 Reasons for Recommendation

- 9.1 To meet the statutory requirement for submission of the Local Development Scheme before the end of December 2008.

For further information:

Portfolio Holder: Councillor David Brown
Officer: as in heading

Tel No:
Email: chris.mccarthy@cheshireeast.gov.uk