

CHESHIRE EAST COUNCIL

Cabinet Member for Performance and Capacity

Date of Meeting: 30th April 2012
Report of: Strategic Planning and Housing Manager
Subject/Title: Cheshire East Local Development Scheme 2012 -14
Portfolio Holder: Councillor David Brown

1.0 Report Summary

- 1.1 This report seeks approval for the Local Development Scheme 2012-2014.

2.0 Recommendation(s)

- 2.1 That the Portfolio Holder approve the Local Development Scheme 2012-2014.

3.0 Reasons for Recommendation(s)

- 3.1 To ensure that the Council has an approved three year programme for the preparation of the various documents that will make up the Local Plan

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications

- 6.1 The Cheshire East Local Plan will set out the vision, objectives, spatial strategy and policies for the development of Cheshire East (outside the National Park) to 2030. It will interpret national planning policies within the context of Cheshire East Borough and will aim to ensure that the future development of the Borough is planned in a sustainable manner. It will be developed in co-operation with other adjacent local authorities to ensure that it contributes to the strategy for the future development of the sub-region.
- 6.2 The Local Plan will take into account other strategies and plans produced by the Council and its Local Strategic Partners in order to present a shared vision and strategy to ensure consistency in programme delivery. It will deliver the spatial aspects of the Cheshire East Sustainable Community Strategy, "Ambition for All".

7.0 Financial Implications

- 7.1 The costs of preparing the various documents and developing the Local Development Scheme will be met from existing Spatial Planning 2012-13 budgets.

8.0 Legal Implications

- 8.1 Local authorities are required by Section 19 of the Planning and Compulsory Purchase Act 2004 to prepare documents to form their Plan in accordance with their Local Development Scheme.
- 8.2 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) sets out the roles of the local planning authority and the Secretary of State in relation to an authority's Local Development Scheme. Every local planning authority must prepare and maintain a local development scheme specifying the documents that will be local development documents, their subject matter and area and the timetable for their preparation and revision. The Secretary of State can direct changes to the scheme as he thinks appropriate..
- 8.3 Section 15 requires Local Planning Authorities to revise their Local Development Schemes "at such time as they consider appropriate". This Council's current Scheme was produced in January 2011, several changes to its content and timetable need to be made, a revised Scheme must therefore be approved and published.
- 8.4 Paragraphs 150 to 185 of the National Planning Policy Framework (April 2012) emphasises that the planning system remains plan led. It requires Local Plans to be aspirational but realistic and must meet strategic development needs. It states that plans will be tested on whether they have been positively prepared and whether they are founded on adequate, up to date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. In preparing their local plans, authorities are asked to work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and reflected in individual local plans.
- 8.5 The Local Plan will be examined by an independent Inspector who will assess whether it has been prepared in accordance with the Duty to Co-operate, legal and procedural requirements and whether it is sound.

9.0 Risk Management Implications

- 9.1 The Local Development Scheme sets out the risks associated with the preparation of the Local Plan. Three new risks have arisen since the preparation of the 2011 Local Development Scheme:
- the proposed revisions to the plan making process contained in the Localism Act;

- the impact of the reduction in Spatial Planning staffing and from April 2012;
- the impact of the National Planning Policy Framework.

10.0 Background and Options

- 10.1 The Local Development Scheme sets out a programme and timetable for the preparation of documents for the Cheshire East Local Plan. The previous Cheshire East Local Development Scheme was approved in January 2011.
- 10.2 The Local Development Scheme is the starting point for people to find out about the Council's timetable for preparing the various documents of the Local Plan, the status of each document and the policies contained in it. The Local Development Scheme describes:
- The content and geographic area to which each of the Development Plan Documents relates;
 - The timetable and the key milestones in their preparation;
 - The interrelationships between each document;
 - Arrangements during the transitional period for saved policies.
- 10.3 At its meeting on 5th March 2012 Cabinet considered a report on options for a revised programme for preparing the Local Plan. The context of the report was that the Place Shaping Consultation had revealed the complexity of preparing a completely new plan for a Borough with a population of some 370,000 people and extending over 1,158 sq.km. Initial work in some of the main settlements had also revealed that infrastructure provision will be a significant influence on the Plan's preparation and more detailed work is required to fully understand the infrastructure implications and constraints of new development. In addition it was the case that the Place shaping and Neighbourhood Planning exercise, although hugely beneficial in engaging local communities, has and continues to be very resource intensive.
- 10.4 As a consequence it was evident that the Council would not be in a position to commence consultations on the Preferred Options stage of both the Core Strategy and Site Allocation documents in May 2012 as scheduled in the 2010 – 14 Local Development Scheme.
- 10.5 Having considered the options, Cabinet agreed that a revised programme for the Core Strategy and Site Allocations documents would be appropriate with the effect that both documents would go directly to the Final Submission Plan stage rather than having two formal stages of consultation. This would allow adoption of the Core Strategy by the end of

2013 and the adoption of the Site Allocations document by the end of 2014 in accordance with the current Local Development Scheme timetable. That streamlined programme is therefore reflected in the revised Local Development Scheme 2012 -14 attached to this report.

- 10.6 In respect of the Site Allocations document, the Cabinet agreed to consider measures and resources that would enable a 'two stage' timetable to be achieved and if that transpires to be the case that would be effected in a further revision of the Local Development Scheme in due course.
- 10.7 Cabinet delegated the decision on the finalised wording of the revised Local Development Scheme to the Portfolio Holder for Performance and Capacity.
- 10.8 Progress with the preparation of the Local Plan documents will be reviewed annually as part of the Local Plan Annual Monitoring Report. The Local Development Scheme will be updated in the light of this review and at such other times when circumstances require a change to the timetable for the preparation of documents.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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