

Item No.	Classification: Open	Date: 28 June 2012	Decision Taker: The Leader of the Council
Report title:		Local Development Scheme	
Ward(s) or groups affected:		All	
From:		Deputy Chief Executive	

RECOMMENDATION

1. That the revised draft Local Development Scheme appended to this report as appendix 1 is brought into effect in July 2012.

BACKGROUND INFORMATION

2. Local planning authorities are recommended to publish a timetable for the production of future planning documents which will make up the Local Plan. This is currently the Core Strategy, saved policies from the Southwark Plan and adopted Area Action Plans. These documents set out the strategy for development and detailed policies for making decisions on planning applications. The document setting out the timetable is known as the local development scheme. This LDS will replace the June 2010 LDS. The next step is for the local development scheme to be formally brought into effect and published on the council's website. This requires a formal decision by the Cabinet Member.

KEY ISSUES FOR CONSIDERATION

3. The Local Plan sets out the strategy for development for Southwark with policies, masterplans, maps and evidence. These are used by planners to determine the type of development that we will welcome so that we allow developments that enhance our diverse areas. The Local Plan will eventually build into a suite of documents that will replace the Unitary Development Plan (UDP). The Core strategy has been adopted and Unitary Development Plan/Southwark Plan policies have been saved where relevant. We need the approval of the Secretary of State to continue using older policies contained in the Southwark Plan 2007 beyond July 2013. We will be making an application to the Secretary of State by the end of December 2012 showing how our policies remain up-to-date, relevant and how they are in general conformity with the new National Planning Policy Framework by December 2012. Aylesbury and Canada Water Area Action Plans have been adopted. A Peckham and Nunhead Area Action Plan and the Community Infrastructure Levy document along with preparation of many Supplementary Planning Documents are planned or underway. Local Plans should deal with land-use and development whilst also reflecting other strategies of the council and of other agencies. They should also focus on implementation and set out delivery mechanisms as drivers for change.
4. The Local Development Scheme sets out the timetable for preparing the Local Plan. The proposed timetable will ensure that Southwark has an effective strategy to adopt up to date documents that provide an effective set of policies

for decision making on planning applications. It will also ensure that we have adopted strategies for regeneration within Southwark and for protecting and improving our varied areas.

Policy implications

5. We have made changes to the LDS due to completing documents such as
 - The Canada Water Area Action plan
 - Elephant and Castle Supplementary Planning Document/Opportunity Area Framework
 - Residential Design Standards SPD
 - Annual Monitoring Reports

6. We have made changes due to new national legislation. We have:
 - Changed the update of our Section 106 SPD to a Community Infrastructure Levy/Section 106 (CIL/S106) DPD with supporting Section 106 SPD.
 - Introduced an updated timetable for the Bankside, Borough and London Bridge Opportunity Area Framework/Supplementary Planning Document (OAF/SPD) as we now understand the implications of the Neighbourhood Plans
 - Reduced the number of documents being prepared removing the development management and site allocations development Plan Documents. We will be taking forward these planning issues with the refresh of the Core Strategy and current Southwark Plan to create a new Southwark Plan covering all of the strategic issues for the borough.
 - Scheduled an update to the Housing and Heritage Supplementary Planning Documents to take into account the Mayor's Housing SPG updates and the National Planning Policy Framework.

7. We have made changes due to new circumstances at:
 - Harmsworth Quays leading to requirements for revisions to the Canada Water Area Action Plan.
 - Dulwich with the Primary Care Trust carrying out consultation on the local health needs has led to the timetable for the Supplementary Planning Document being delayed.

Community impact statement

8. The local development scheme sets out the timetable and priorities for the preparation of the local development framework the purpose of which is to provide the spatial dimension of the community strategy. The local development documents that are programmed in this scheme will, therefore, have significant impacts on the achievement of the council's vision. All local development documents are required to undergo a sustainability appraisal which will include appraisals of social as well as economic and environmental impacts and will comply with the requirements of the Statement of Community Involvement for meaningful public participation to be carried out. They will also have to have community impact statements and, where appropriate, an equalities impact assessment will be carried out.

Resource implications

9. The local development scheme is required to identify the resources needed to complete the programme and these are all being met from existing budgets. It is also required to provide a clear understanding of the risks involved so that there is a good degree of confidence in the authority's ability to deliver once it has been brought into effect.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance (200612/DA/SY)

10. Under section 15 of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), the local authority must prepare and maintain a Local Development Scheme. The LDS sets out the development plan documents which will be produced and when they are going to be produced. The LDS provides a brief description of all development plan documents (DPDs) and supplementary planning documents (SPDs) to be prepared and the content and geographic area to which they relate. It also includes the Statement of Community involvement.
11. The LDS explains how the different DPDs and SPDs relate to each other and how they relate to the Core Strategy. It also sets out which SPDs support saved policies. In addition the LDS sets out the timetable for producing DPDs and gives timings for the achievement of the following milestones i.e. consulting statutory bodies on the scope of the Sustainability Appraisal as well as the publication, submission and adoption of the DPDs. It also sets out the timetable for producing SPDs and gives timings for publications of drafts and adoption of SPDs.
12. In accordance with section 15(3) of the Planning and Compulsory Purchase Act 2004 (then in force but now repealed), the local authority submitted the LDS to the GLA for informal comment. The local authority have received notice from Mayor's office that they do not intend to give a direction under section 15 (4) of the PCPA 2004. The Cabinet Member for Communities and Economic Development may therefore bring the revised LDS into effect.
13. There is no requirement for a sustainability appraisal of the LDS. The processes required to be undertaken in the formulation of local development documents has been outlined in the local development scheme itself. Equality Impact Assessments are undertaken as part of the preparation of local development documents to ensure that they are in accordance with the council's 'Approach to Equalities' document. An equalities impact assessment is therefore not required for the local development scheme but future monitoring of the implementation and effectiveness of the local development framework will provide evidence to support changes that could be made to existing policies or proposals for new policies in relation to equalities. These will take into account equalities issues in accordance with the council's 'Approach to Equalities' policy.
14. Decisions regarding planning policy potentially engage certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant. In the case of the Local Development Scheme, no human rights are engaged. This is because the Local Development Scheme is an administrative document which does not in itself

create council policy. In respect of those development plan documents referred to in the Local Development Scheme, human rights issues will be considered in the context of the respective documents.as and when these are progressed.

15. Under the current executive scheme of delegation reported by the leader to the annual meeting on 23 May 2012, the leader has authority to agree policy and performance priorities for the short to medium term, taking into account the needs of the council as a whole. Therefore, the decision to bring the revised LDS is within the Leader's constitutional remit.

Departmental Finance Manager

16. There are no immediate resource implications arising from this report as the additional work required on the production of future planning documents will be contained within the existing staff resources in the Policy team and other units within the council if required, without a call on additional funding.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Local Development Scheme 2011

AUDIT TRAIL

Lead Officer	Eleanor Kelly, Acting Chief Executive	
Report Author	Juliet Seymour Planning Policy Manager	
Version	Final	
Dated	28 June 2012	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director for communities, law, & governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		28 June 2012