

Item No.	Classification: Open	Date: 27 October 2014	Decision Taker: Cabinet Member for Corporate Strategy and Regeneration
Report title:		Local Development Scheme August 2014	
Ward(s) or groups affected:		All	
From:		Chief Executive	

RECOMMENDATION

1. That the revised draft Local Development Scheme (“LDS”) appended to this report as appendix 1 is brought into effect from August 2014.

BACKGROUND INFORMATION

2. Local planning authorities are required by the Planning and Compulsory Purchase Act 2004 to maintain their local plans and are recommended to publish a timetable for the production of future planning documents which become part of 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 LDS. This LDS will replace the July 2013 LDS. The next step is for the LDS to be formally brought into effect and published on the council’s website. This requires a formal decision by the Executive Member.

KEY ISSUES FOR CONSIDERATION

3. National planning policy places Local Plans at the heart of the planning system so it is essential that they are in place and up to date. Local Plans set out a vision and a framework for the future development of the area, addressing future needs and opportunities in relation to housing, the economy, community facilities and infrastructure as well as a basis for safeguarding the environment, adapting to climate change and securing good design.
4. The New Southwark Plan will set out the strategy for development for Southwark with policies, masterplans, maps and evidence. These will be used to determine the type of development that can take place so that developments enhance our diverse areas. This will replace the Saved Southwark Plan 2010/ Unitary Development Plan (UDP) and the Core Strategy. These 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.

5. The LDS sets out the timetable for preparing the Local Plan. The proposed timetable will contribute to ensuring 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.
6. The following planning policy and guidance has been prepared to the timetable in the July 2013 LDS:
 - New Southwark Plan Issues consultation
 - Blackfriars Road SPD
 - Dulwich SPD
7. There following have been delayed:
 - Changing the timetable of our Section 106 SPD and Infrastructure Levy/Section 106 (CIL/S106) to take into account new guidance brought out by the Government. There is a new consultation to take into account additional evidence. A CIL review of the charging schedule has also been scheduled.
 - Changing the timetable for the review of the Canada Water AAP which is now scheduled for an examination in public at the end of September 2014.
 - Changing the timetable of the Peckham and Nunhead AAP to add in a few months for consultation on any possible changes requested by the Inspector.
 - Removing Camberwell SPD as these points could be addressed through other action plans which will be published particularly on transport issues. Further detail is set out in an IDM on Camberwell.
8. The following have been added to the LDS where new documents are to be prepared:
 - Adding in the Old Kent Road Opportunity Area Plan Framework/Area Action Plan to plan for regeneration.
 - Adding in the Community Infrastructure Levy 3 year review

Community impact statement

9. The LDS sets out the timetable and priorities for the preparation of Southwark's planning documents. The planning 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 to 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

10. The LDS 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

Director of Legal Services

11. Under section 15 of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), the local authority must prepare and maintain a LDS. The LDS sets out the development plan documents which will be produced and the timetable within which they will 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.
12. The LDS explains how the different DPDs and SPDs relate both to each other and to the Core Strategy. It also sets out which SPDs support saved policies are affected. 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.
13. The report refers to the proposals for community engagement. The National Planning Policy Framework provides guidance and emphasises at paragraph 155 that early and meaningful engagement and collaboration with neighbourhoods is essential. Whilst there is considerable flexibility open to local planning authorities in how they carry out the initial stages of plan production, regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires notification to specific consultation bodies and members of the public as to what the local plan should contain and the council will have a duty to take into account any representation made in this respect.
14. 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 LDS 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 LDS 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.
15. 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 LDS, no human rights are engaged. This is because the LDS is an administrative document which does not in itself create Council policy. In respect of those development plan documents referred to in the LDS, human rights issues will be considered in the context of the respective documents as and when these are progressed.

16. Under Part 3D, paragraph 9 of the Southwark Constitution, the member for regeneration and corporate strategy has authority to agree policy and performance priorities for the short to medium term, in relation to his area of responsibility and taking into account the needs of the council as a whole. Therefore, the decision to bring the revised LDS into effect is within the member's constitutional remit and he may bring the revised LDS into effect.

Strategic Director of Finance and Corporate Services (CED/MD/14/30)

17. 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 October 2014

AUDIT TRAIL

Lead Officer	Eleanor Kelly Chief Executive	
Report Author	Juliet Seymour, Planning Policy Manager	
Version	Final	
Dated	27 October 2014	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team	27 October 2014	