

Meeting Executive
Portfolio Area Planning and Regulation
Date 30 April 2019



LOCAL DEVELOPMENT SCHEME (LDS)

KEY DECISION

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1 PURPOSE

- 1.1 To inform members of updates to the Local Development Scheme (LDS).
- 1.2 To seek the Executive's approval of a revised LDS.

2 RECOMMENDATIONS

- 2.1 That the LDS 2019 (attached as Appendix 1) be approved as the programme for the new Stevenage Borough Local Plan and associated documents, subject to any necessary minor editorial modifications agreed by the Assistant Director of Planning and Regulation having consulted with the Portfolio Holder for Environment and Regeneration.
- 2.2 That the LDS 2019 is brought into effect from 13 May 2019 and published on the Council's planning web pages.

3 BACKGROUND

- 3.1 The Council is required to prepare a Local Development Scheme under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). It specifies the local development documents which are to be “Development Plan Documents” and sets out the programme for the preparation of those. It is a statutory requirement to maintain an up-to-date LDS.
- 3.2 Stevenage’s current LDS was approved by the Executive in July 2016 and came into effect on 1 August 2016. This scheduled the adoption of the Local Plan to take place by July 2017.
- 3.3 The Local Plan was submitted to the Secretary of State in July 2016 and was followed by Examination in January – March 2017.
- 3.4 The Inspector’s Report was issued in October 2017. However, the Secretary of State placed a Holding Direction on the Local Plan in November 2017, which prevented the adoption of the plan.
- 3.5 This intervention has caused a significant delay in the original timetable agreed. The Holding Direction has now been lifted and, an update to the LDS is necessary to set out an updated timetable.
- 3.6 It is not mandatory to include a timetable for the preparation of CIL in the LDS. However, given the close relationship between the Local Plan and CIL, it is often considered good practice to do so. As such, the updated LDS also includes a new timetable for CIL.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 The LDS sets out updated milestones for the examination of the Local Plan (including Proposals Map) and its adoption. It also sets out timeframes for the adoption of CIL and a new Area Action Plan relating to the Railway Station area.
- 4.2 There is a statutory requirement to keep the LDS up-to-date. It currently contains timeframes for planning policy documents, including the Local Plan that are out-of-date, thus it is essential it is revised and a new LDS is adopted as soon as possible.
- 4.3 Not adopting a new LDS would mean we are no longer meeting our statutory requirement.

Stevenage Borough Local Plan

- 4.4 The revised LDS 2019 comprises a brief document and chart, appended to this report. It updates and sets the following timetable for the Local Plan adoption:
 - January – March 2017: Examination in Public

- October 2017: Receipt of Inspectors report
 - Adoption: May 2019
- 4.5 The above timetable represents a slippage of around 22 months on the LDS programme reported in July 2016.
- 4.6 Following submission of the plan in July 2016, as scheduled, the Examination timetable was then set by the Planning Inspectorate. The timetables for public examinations can vary significantly and are dependent on a number of factors including the level of responses received, the availability of Planning Inspectors, holiday periods and any additional work that might be required by the Inspector. The hearing sessions did not begin until January 2017, with the Inspector's Report being received in October 2017, at least 8 months behind schedule. However, a significant element of this revised timeline relates to intervention of the Secretary of State in issuing and maintaining the Holding Direction, as discussed in paragraphs 3.4 and 3.5 of this report.

Area Action Plan – Railway Station

- 4.7 As a consequence of discussions with MHCLG in relation to the Holding Direction on the Stevenage Borough Local Plan, officers indicated that the Council intended to produce an Area Action Plan (AAP) for the Railway Station area (within the TC3 and TC4 Major Opportunity Areas designated in the Local Plan).
- 4.8 The letter sent by the Secretary of State on 25 March 2019 (attached as Appendix B) made clear that the Holding Direction was being lifted on the basis that the Council timetable in its LDS the preparation of an Area Action Plan for the Stevenage 'Station Gateway' area (identified in the Local Plan as site TC4), to be adopted in December 2020 or sooner.
- 4.9 The AAP will provide an opportunity for stakeholders to engage and shape this area and will act as a catalyst for developers interested in supporting this key part of the Local Plan.
- 4.10 The AAP timetable put forward within the LDS is as follows
- November 2019: First consultation
 - April 2020: Second consultation
 - July 2020: Submission
 - September 2020: Examination
 - December 2020: Adoption

Community Infrastructure Levy

- 4.11 Owing largely to a resource focus on the Local Plan, the CIL timetable has also slipped significantly. A Report was taken to Executive in September 2018 (Appendix C) to approve consultation on the Charging Schedules. The first consultation was carried out in October 2018. The remainder of the timetable is set out in the LDS as follows:

4.12

- April 2019: Draft Charging Schedule consultation
- July 2019: Submission
- August/September 2019: Examination
- October/November 2019: Adoption

Statement of Community Involvement

- 4.13 The LDS also includes a programme for reviewing the Council's Statement of Community Involvement (SCI). The current SCI was adopted in November 2018. There is a statutory requirement for it to be updated every five years.
- 4.14 The SCI sets out how members of the public and other stakeholders will be involved in the planning process. It is shown in the LDS for completeness.

5 IMPLICATIONS

Financial Implications

- 5.1 The preparation of planning policy documents is funded from within an agreed departmental budget.

Legal Implications

- 5.2 The statutory duty to produce a Local Development Scheme is placed upon LPAs by the Planning and Compulsory Purchase Act 2004, as amended by provisions contained within the Localism Act 2011.
- 5.3 The new LDS is considered to be compliant with the statutory requirements.
- 5.4 Preparation of CIL is given effect by the 2008 Planning Act and governed by The Community Infrastructure Levy Regulations 2010 (as amended).

Policy Implications

- 5.5 The statutory Development Plan for the Borough forms part of the Borough Council's over-arching policy framework. It has potentially wide-ranging policy implications beyond the field of spatial planning.
- 5.6 There will be a need for positive interaction between the Plan and other plans and strategies of the Borough Council (and other stakeholders) as they are revised and updated to ensure that a consistent and holistic approach emerges.

Planning Implications

- 5.7 The LDS specifies the Development Plan Documents and sets out the timetable for their production.

BACKGROUND DOCUMENTS

- BD1 [Planning and Compulsory Purchase Act, 2004](#)
- BD2 [Localism Act 2011](#)
- BD3 [Town and Country Planning \(Local Development\) \(England\) Regulations, 2012](#)
- BD4 [Stevenage Borough Local Development Scheme, 2016](#)

APPENDICES

- A Local Development Scheme, April 2019
- B Letter from the Secretary of State, March 2019
- C September 2018 Executive Report - CIL