

Report to the Executive



DATE	23rd August 2011
PORTFOLIO	Planning and Environment
REPORT AUTHOR	Sue Graham/Margaret Whewell
TEL NO	(01282) 664776/664749
EMAIL	sgraham@burnley.gov.uk mwhewell@burnley.gov.uk

Local Development Scheme 2011 – 2014 Programme for Producing Burnley’s Local Development Framework

PURPOSE

1. To inform members of progress on the planning framework for Burnley against the timetable set out in the Local Development Scheme 2009 – 2012 and to seek approval for Burnley’s revised Local Development Scheme 2011 – 2014. This programme of work will ensure the Council maintains an up to date and relevant Local Development Framework
2. To seek approval to commission such work as is necessary to ensure that the Local Development Framework is based on robust and up to date evidence and meets the requirements of European law . To agree to prioritise work to produce the Core Strategy.

RECOMMENDATION

3. To approve the Local Development Scheme 2011 – 2014, attached as Appendix 1, for submission to the Secretary of State as the programme for the delivery of Burnley’s Local Development Framework.
4. To recommend that Full Council establishes a budget of £196,000 to enable the necessary work indicatively outlined in the LDS to be undertaken, with the agreement of the Director of Environment in consultation with the Executive Member for Planning.

REASONS FOR RECOMMENDATION

5. To ensure that the Council has in place an up to date Local Development Scheme. Local Development Schemes are a binding declaration of plan preparation. They still have to be sent to Central Government, and are subject to annual monitoring that has to be reported to Members and is published.
6. Completing the evidence base for Local Development Documents and ensuring that they comply with EU legislation will demand a significant amount of detailed technical information which will largely need to be bought in by the Council.

SUMMARY OF KEY POINTS

7. **Context for the Local Development Framework**

The Localism Bill will probably be enacted later in 2011 or in the first half of 2012. The Government has announced its intention to revoke Regional Spatial Strategies (RSS) under the provisions of this Bill, though the impact of the revocation of each RSS will be subject to a Strategic Environmental Assessment before it can cease to be part of the planning framework. The RSS for the North West forms part of the current Development Plan for all planning decisions made by Burnley Council. It sets the context for all Burnley's planning policy documents and is the starting point for the consideration of all planning applications.

8. When the RSS is revoked Burnley Council will not have an up to date development plan until the Core Strategy (CS) is adopted. It is important that such work as is necessary to complete the CS is prioritized in order to have it in place as quickly as possible.
9. When the timetable for RS revocation is known a 'Statement of Intentions' will be produced highlighting those aspects of RSS that will continue to be used in the preparation of planning documents, along with any aspects of RSS where there is compelling evidence to suggest an alternative approach. This Statement will not be a statutory planning document and therefore not be part of the Development Plan, but it will clarify the Council's position on the strategic context for its emerging plans in the absence of a strategy at regional level. At the same time there will be a reassessment of the work that will need to be commissioned as a result of RSS revocation.
10. The Government has announced its intention to ensure that all local authorities make swift progress on their plans. As an incentive to push plan production, the Government has said that Councils will have to approve development as long as it accords with national policy. This could mean that major developments may be proposed and then granted by default that may have a disproportionate and detrimental impact on areas such as the Town Centre.
11. **The Local Development Scheme**

The Local Development Scheme (LDS) is a three-year rolling programme setting out the timetable for the preparation of the planning documents that will comprise the Local Development Framework (LDF) for Burnley. The LDF sets out the Council's planning strategy and policies, and will eventually replace the Burnley Local Plan. The document which is at Appendix 1 to this report is the fourth LDS that has been produced by the Council. The Scheme sets out what the Council is proposing to do and when so that the public can find out when they can expect to be involved in the plan preparation process. It also sets out what resources will be required in order to try to ensure that the work will be completed in accordance with the timetable and identifies the risks that could result in delay.

12. Progress on the LDS is assessed in the Annual Monitoring Report that is produced and reported to Members at the end of every year. On December 13th 2010, the Executive approved the Annual Monitoring Report 2010. This showed that that timetable for producing LDF documents had changed and that it would be necessary to revise and

update the LDS for the period 2011 – 2014. The most significant changes to the LDS are:

- The end of the HMR programme and work ending on the Area Action Plans
- The critical need to accelerate work on the Core Strategy so that it is adopted by 2014

The document and its 4 appendices are available to view on the Council's website and in the Members' room.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

13. In the past, some external funding has been used to supplement the Council's mainstream budgets for plan making. The Planning Reserve budget includes all that remains of this and, as things currently stand, there is no further grant funding available for the work that is now needed for the Core Strategy and other Development Plan Documents. They are a statutory requirement of every local authority.
14. Costs are kept to a minimum by a combination of good housekeeping, providing adequate training for planning staff to ensure they can respond to the requirements of the emerging legislation and by exploring ways of joint commissioning of research between Pennine Lancashire and South Pennine authorities.
15. The list of work that it is envisaged will need to be commissioned between 2011 and 2013 is set out in the LDS. This is subject to review as the detailed requirements of the Localism Bill emerge. A Planning Reserve budget of £196,061 has been established using savings from 2010/11.

POLICY IMPLICATIONS

16. The LDS is a statutory requirement of the planning system. It identifies the timeframe for the production of the Core Strategy and other development plan documents so that partners, developers and stakeholders can see what documents are being prepared and when they can expect to be involved in the plan preparation process. The LDS is sent to the DCLG and monitored by them and the Council, alongside the Annual Monitoring Report.

DETAILS OF CONSULTATION

17. Environment and Housing Scrutiny Committee
18. Councillor Karen Heseltine, Chair, Environment and Housing Scrutiny Committee – no comments
Councillor Justin Birtwistle, vice Chair, Environment and Housing Scrutiny Committee – no comments
Councillor Anne Kelly, Chair, Development Control Committee – no comments
Councillor Bill Brindle, vice Chair, Development Control Committee – no comments

BACKGROUND PAPERS

19. File B461: Local Development Scheme

PPS12: Local Spatial Planning
Annual Monitoring Report 2010
Held in Planning Services, 1st Floor, 9 Parker Lane

FURTHER INFORMATION

PLEASE CONTACT:

Sue Graham/Margaret Whewell

ALSO:

Pete Millward