

Report to the Executive



DATE	29th May 2012
PORTFOLIO	Economic Regeneration
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Local Development Scheme 2012 – 2015 and Local Plan Preparation

PURPOSE

1. To inform members of progress on the planning framework for Burnley and seek approval to revise the programme through an updated Local Development Scheme covering the period 2012 – 2015.
2. To seek approval to tender and appoint suitably qualified consultants to carry out a Retail, Office and Leisure study of the Borough, and in addition to establish a Principal Planner post to deliver evidence base work for the Local Plan programme.

RECOMMENDATION

- 3 It is recommended that the Executive:
 - (a) Approves the Local Development Scheme 2012 – 2015 attached as Appendix 1, which sets out the timetable for producing a single Local Plan for the Borough.
 - (b) Authorises the procurement of suitably qualified consultants in accordance with Council Standing Orders, to carry out a Retail, Office and Leisure Study for the Borough.
 - (c) Delegate's authority to the Director of Economic Regeneration to accept the most economically advantageous tender submitted.
 - (d) Authorises the Head of People and Law to subsequently enter into a contract with the consultants.
 - (e) Approves the establishment of a Principal Planner post (grade11) on a fixed term contract for 21.75hrs/wk until September 30th 2014.
 - (f) Approves the release of £ 38,873 from the Council's planning reserve in 2012/13 to the Local Plan review budget.

REASONS FOR RECOMMENDATION

- 4 To ensure that the Council complies with the requirement to have in place an up to date Local Development Scheme and that the Local Plan is identified as a document to be prepared under this scheme.

To ensure that Burnley's Local Plan is based on robust and up-to-date evidence in

relation to retail, office and leisure capacity and need.

To provide the necessary in house capacity to deliver the evidence base programme.

SUMMARY OF KEY POINTS

5 Local Development Scheme (LDS)

The Local Development Scheme (LDS) is a three-year rolling programme setting out the timetable for the preparation of the planning document(s) that will comprise the development plan for Burnley and which will eventually replace the Burnley Local Plan adopted in 2006.

The preparation of a LDS is a requirement of the Planning and Compulsory Purchase Act 2004. It sets out the key stages in plan preparation and identifies the adopted Burnley Local Plan policies that are 'saved' and taken forward until such time as they are replaced by policies in the new Local Plan.

It is the document that the public can use to find out what the Council is proposing to do and when they can expect to be involved in the plan's development. 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.

6 Progress on the Previous LDS (2011 – 2014)

The Council has made progress on producing the evidence for its strategic planning document for the borough, the Core Strategy. However, following a review of the project, undertaken with assistance from the Planning Advisory Service, a decision was made to produce a single planning document that would incorporate the Core Strategy, along with Site Allocations and Development Management Policies documents. This will take slightly longer than producing just the Core Strategy but the timescale to prepare a complete plan for the borough would be shorter overall. It would also offer savings in terms of evidence gathering, consultation and public examination costs. The most significant change to the LDS is therefore:

The timetable for producing a single Local Plan for Burnley shows adoption by June 2015. The current timetable shows a Core Strategy being adopted in October 2014 with Site Allocations and Development Management Policies documents being adopted in October 2016.

There is a need to make urgent progress on the Local Plan. Under the National Planning Policy Framework, policies in the Local Plan that are in conflict with national policy will be at risk. There is therefore an urgent need to make swift progress on the new Local Plan and adopt new policies in compliance with the NPPF. Local authorities without an up to date plan have less control over development and must approve sustainable development as long as it accords with national policy. This has the effect of removing some local democratic control over the determination of planning applications.

7. Retail, Office and Leisure Study of Burnley

A retail and leisure study of Burnley was completed in 2005 and a separate assessment of retail, office and leisure provision and capacity of Padiham was undertaken in 2009 to

inform the Area Action Plan. There has never been a study of the role and capacity of smaller centres in the borough, such as Colne Road and Accrington Road. In order to provide a robust evidence base for Burnley's Local Plan, it is necessary to update the 2 earlier studies and broaden the scope of the work to cover district and more local centres. This will help assess the need for new floorspace, both quantitatively and qualitatively: establish a hierarchy of centres, based on their existing function and capacity to accommodate further development and provide the basis upon which to justify Local Plan policies and proposals.

The retail, office and leisure study is one of a number of pieces of work that will be required to underpin the Burnley Local Plan. A full list of work to be undertaken in order to provide the Local Plan with a robust and up to date evidence base is listed on page 14 of the Local Development Scheme attached as Appendix 1 and a report setting this out in more detail will be brought to a future meeting of the Executive.

Resourcing the LDS Work Programme.

The proposed Local Development Scheme 2012-15 is attached as Appendix 1 to this report. Table 3 on page 14 of the LDS sets out the minimum areas of evidence work needed to underpin the development of the Local Plan in the coming year, delivered through a mix of external commissions and in house work. Alongside these specific areas there is a requirement to ensure our emerging proposals are subjected to sustainability appraisals and habitats regulations assessments.

There is however insufficient internal capacity to deliver the sustainability and habitats related work and therefore it is proposed to appoint a Principal Planner within the Planning Policy team to carry out the work. It is estimated that this will prove more cost effective than externally commissioning the work.

The job description and person specification are attached as Appendices 2 and 3 to the report.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

8. The expenditure planned for the current year in this report can be accommodated through the use of Planning reserve monies.

The Local Plan Review has an annual budget of £38k and in addition the Council has an earmarked Planning Reserve of £238,525 from which £96,061 has already been included in the local Plan budget for the current year.

The costs of employing the Principle Planner in 2012/13 are estimated at £22,518 and the resources needed to carry out the evidence work at £150,925, giving a total planned expenditure of £173,443.

There is a need therefore to contribute a further £38,873 from the Planning Reserve for 2012/13.

POLICY IMPLICATIONS

9. The Local Development Scheme is the 2012 – 2015 programme for the preparation of Burnley's Local Plan. All councils are required to produce and publish an up to date Local Development Scheme so that the community and others with an interest in the borough know what documents are being prepared and when they can expect to be involved in the plan preparation process.

DETAILS OF CONSULTATION

10. Comments were received from Accountancy Services in relation to the financial implications and budget provision. These have been incorporated into the report.

BACKGROUND PAPERS

11. File B461: Local Development Scheme
PPS12: Local Spatial Planning
Annual Monitoring Report 2011
National Planning Policy Framework , March 2012
Held in Planning Services, 1st Floor, 9 Parker Lane

FURTHER INFORMATION

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