

<b>Subject:</b>	<b>Local Development Scheme</b>
<b>Director:</b>	Assistant Director, Planning and Regeneration
<b>Decision Issues:</b>	These matters are within the authority of the Policy and Resources Committee.
<b>Classification:</b>	This report is open to the public.
<b>CCC Ward(s):</b>	<b>All</b>
<b>Summary:</b>	<b><i>The report provides an updated Local Development Scheme for approval</i></b>
<b>To Resolve:</b>	<b>That the Local Development Scheme be agreed</b>
<b>Next stage in process:</b>	<b>If approved, this Local Development Scheme will be published on the Council's website and a copy submitted for information to the Planning Inspector currently considering the Local Plan.</b>

## **SUPPORTING INFORMATION**

### **1. Background**

A Local Development Scheme (LDS) is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The main purpose of the LDS is to provide the starting point for people to find out what documents the Council intends to produce as part of the Local Plan over a three year period. The Local Development Scheme (LDS) is in effect a work programme for the Local Plan process. The first iteration of the LDS was adopted by Council in 2004. The most recent Local Development Scheme was approved by the Council on 23 July 2015.

It is proposed to revise the document now that the Inspector has set dates for the stage 2 Examination. Appendix 1 sets out the Local Development Scheme.

The LDS includes work programmes for the Local Plan and other policy documents, and how work is monitored and consulted upon. In addition, although not part of the statutory Local Plan and therefore not a requirement for inclusion in the LDS, the anticipated timeline for preparing a Community Infrastructure Levy has been included.

### **2. Relevant Council Policy/Strategies/Budgetary Documents**

This issue relates to the Council's Local Plan.

3. **Consultation planned or undertaken**

The Council is not required to consult on the Local Development Scheme.

4. **Options available with reasons for suitability**

To approve and publish a Local Development Scheme

5. **Reasons for supporting option recommended, with risk assessment**

The Council has a legal duty to approve and publish a Local Development Scheme to keep people informed of work on the Local Plan.

6. **Implications**

(a) Financial Implications  
None

(b) Legal Implications  
The Council has a statutory duty to prepare an up-to-date Local Plan for the area and keep people informed about document preparation through a Local Development Scheme.

**Other implications**

(c) Staffing/resource  
None

(d) Property Portfolio  
None

(e) Environmental/Sustainability

(f) Planning/Building Regulations  
None

The LDS is available publicly on the Council's website

(g) Human Rights issues  
None

(h) Equalities  
An equalities impact assessment was carried out for the Local Plan - Document CDLP 1.33 on <https://www.canterbury.gov.uk/planning/planning-policy/examination-documents/>

The changed timetable does not have any impact on anyone with a protected characteristic.

(i) Crime and Disorder

None

(j) Biodiversity  
None

(k) Safeguarding Children  
None

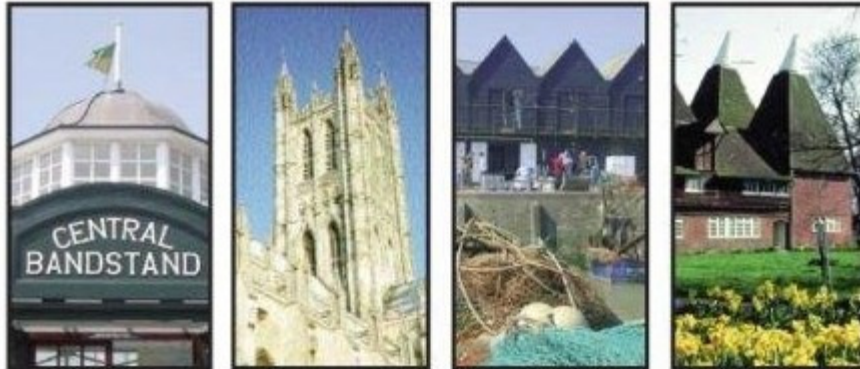
(l) Energy efficiency  
None

## **7. Conclusions**

The Local Development Scheme is a statutory requirement, which sets out clearly the Council's work programme for the preparation of the Local Plan. Committee approval is sought for this document so that it can be formally published and provided for information to the Planning Inspector considering the Local Plan.

**Contact Officer: Karen Britton Planning Policy Manager**  
**Telephone: 01227 862196**

# Canterbury City Council



Canterbury District  
Local Development Scheme

June 2016

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## **1.0 Introduction**

- 1.1 A Local Development Scheme (LDS) is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The main purpose of the LDS is to provide the starting point for people to find out what documents the Council intends to produce as part of the Local Plan over a three year period.
- 1.2 Progress on the preparation of documents is reviewed in the Council's Annual Monitoring Report. The previous Local Development Scheme for the district was approved by the Council on 23 July 2015.

## **2.0 The Development Plan**

- 2.1 The Development Plan for the Canterbury City Council area currently consists of:
- The "Saved" Canterbury District Local Plan (2006) policies, which are listed on the Council's website;
  - The Herne Bay Area Action Plan (which sets out a strategy for the future of Herne Bay town centre);
  - Proposals Maps;
  - The Minerals and Waste Local Plan - prepared by Kent County Council (KCC councilors are due to consider adoption of the Plan in Summer 2016).
- 2.2 There are also a number of development briefs, supplementary planning guidance documents (SPGs) etc that support 'saved' policies. These continue to be in place, however many were prepared under previous legislation and following Adoption of the new Local Plan, the Council intend to carry out a review of these documents.

## **3.0 New Planning Documents**

### **3.1 Canterbury District Local Plan (2011 – 2031)**

The Council is currently progressing a new Local Plan. The Local Plan will set out the strategic planning policies for the District from 2011 to 2031. Once adopted, this will replace the "Saved" Canterbury District Local Plan (2006) policies and proposals maps. Stage 1 of the Examination into the Local Plan commenced in July 2015 and Stage 2 takes place in July and September 2016. The stages of the Local Plan-making process are set out in Appendix 1. The timetable following Stage 2 of the Examination is

indicative only. The length of reporting time following the Examination will depend on the Main Modifications consultation, number of representations received and the resources available to the Planning Inspectorate. Further to the preparation of a new Local Plan (2011 – 2031), the Proposals Maps will also be revised, where it involves changes to site allocations or geographical designations which need to be illustrated spatially.

### 3.2 **Gypsy & Traveller Sites DPD (to 2027)**

The Council has, in conjunction with the other East Kent local planning authorities, undertaken a review of its Gypsy & Traveller Accommodation Assessment. It is not the intention to delay the draft Local Plan to allow full consideration of the results of the GTAA, and carry out the other work necessary to progress the draft DPD. It is considered that the work priority must be to seek to achieve the adoption of a “sound” Local Plan as soon as possible.

The preparation of policy in relation to the provision of Gypsy and Traveller sites will run slightly behind the Local Plan programme. The Council has carried out a “call for sites” and engagement with the local Gypsy and Traveller community to ascertain more detail about accommodation needs. The proposed timetable for this work is set out at Appendix 2.

### 3.3 **Supplementary Planning Documents**

There is no legal requirement for Supplementary Planning Documents to be highlighted within a Local Development Scheme, however these are included for information. The Council intends to prepare the following :

- **Landscape Character and Biodiversity Appraisal SPD**
- **Developer Contributions SPD**

## 4.0 **Neighbourhood Plans**

4.1 Neighbourhood Plans are a new tier of plan introduced by the Localism Act 2011. They form part of the statutory planning framework, but are prepared by communities, usually led by a town or parish council or neighbourhood forum. These plans are subject to set procedures, including a light touch independent examination and have to be approved by the local community through a local referendum. They should be compliant with the strategic policies of the Local Plan and National Planning Policy Framework. As at June 2016, Bridge is the only community within the District that has started to prepare a Neighbourhood Plan.

## **5.0 Community Infrastructure Levy (CIL)**

5.1 There are a number of mechanisms to obtain funding necessary to deliver infrastructure, including developer contributions obtained through Section 106 planning agreements and community infrastructure levy (CIL). Local authorities in England and Wales can choose to use CIL for infrastructure funding, alongside Section 106 developer contributions although the two funding mechanisms should not overlap. The Council has commenced work to prepare a Community Infrastructure Levy. Money raised from CIL can be used to support development by funding infrastructure, such as new road schemes, footpaths and cycleways, open space improvements or a new school or classroom. The draft Local Plan sets out the proposed balance between the use of s106 agreements and CIL. The Council does not have a legal duty to include CIL within the Local Development Scheme, however information about the preparation of CIL is felt to be useful for stakeholders. It is intended to have a Preliminary Draft Charging Schedule prepared for consultation in November 2016; a Draft Charging Schedule/Legal Agreements SPD prepared for consultation in February 2017 and formal submission in April 2017. If all timings go to plan then it is anticipated that the Council may adopt CIL in September 2017 and commence charging in January 2018.

## **6.0 Statement of Community Involvement (SCI)**

6.1 This sets out the standards for engaging the community and other stakeholders in the preparation, alteration and continuing review of Local Plan documents and involvement in decisions on planning applications. The Council will review the SCI in 2017.

## **7.0 Annual Monitoring Report (AMR)**

7.1 The annual monitoring report is prepared each year to monitor progress on the implementation of the Local Plan and is published on the Council's website. It identifies key information and performance against policies.

## **8.0 Strategic Environmental Assessment/Sustainability Assessment**

8.1 The Council is required to assess and appraise its development plan documents to comply with Strategic Environmental Assessment (SEA)/Sustainability Assessment (SA)/Habitat Regulations (HRA) requirements. Carrying out an SEA/SA/HRA ensures that social, economic and environmental considerations are fully taken into account at



every stage of Development Plan Document preparation. The Planning Act 2008 removed the requirement for Supplementary Planning Documents (SPDs) to be subject to sustainability appraisal. It may however, be required if the SPD is likely to have significant social, economic or environmental impacts that were not adequately considered in the SA of the relevant development plan policy.

8.2 The Strategic Environmental Assessment (SEA)/Sustainability Assessment carry their own consultation requirements and the Council will carry out consultation as appropriate, alongside the emerging Local Plan.

## 9.0 Monitoring

9.1 Progress on the preparation of all documents will be monitored by the Planning Policy Team.

9.2 Progress on meeting the targets and milestones set out in the Local Development Scheme will be assessed and made publicly available through the Annual Monitoring Report.

## 10.0 Risk Assessment

10.1 There are a number of areas which might present risks to the delivery of the Local

Plan and CIL Schedule, and these are set out in the following table, together with proposed risk reduction measures.

Key risks	Likelihood	Impact	Risk Reduction Measures
Staff changes and recruitment difficulties	Med	High	Involve more than one member of the team on tasks, wherever possible, to try to share knowledge/skills.  Use consultants, particularly for specialist work, depending on available funding.

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Budgetary constraints	Med	Med	<p>Outsourcing pieces of specialist work ensures that staff resources are used efficiently, but where appropriate and resources allow undertake specialist pieces of work internally through using staff skills and knowledge within the Team and within other departments.</p> <p>Ensure Examinations and associated costs continue to be considered within the Council's budgeting process, as these are resource intensive.</p>
ICT/Administration failure	Low	High	<p>The Council's ICT Department have confirmed that the necessary ICT infrastructure and capacity exists to meet the various requirements to properly support the Local Plan.</p> <p>The Council also uses 'Objective', an on-line planning system that assists with creating, publishing and consulting on documents. Early liaison with the company providing this specialist system and ICT support helps to smooth out potential technical issues.</p>
Duty to Cooperate  (in Summer 2015, the Local Plan Inspector confirmed that to date we had complied with the DtC and we continue to engage)	Low	High	<p>Attend regular meetings with neighbouring authorities and hold topic specific meetings to exchange information and discuss issues. Document meetings and their outcomes.</p>
New legislation / political priorities	High	High	<p>New legislation, new policy or political pronouncements can require new actions and additional work, therefore officers will keep up-to-date with policy and legislation.</p> <p>Local Development Scheme can be reviewed if significant changes are necessary.</p>
Documents being found unsound / subject to legal challenge	Low	High	<p>Ensure that each stage of the Local Plan meets the relevant legal requirements.</p> <p>Use soundness self-assessment tool kit.</p> <p>Ensure process records are kept.</p> <p>Ensure evidence base is robust.</p>

## **11.0 Reporting Structure**

- 11.1 The Local Development Scheme has been reported to Policy and Resources Committee on xxxx.

## **12.0 Resources**

- 12.1 The Planning Policy Team is responsible for preparing the Local Plan, Gypsy & Traveller Sites DPD and other planning policy documents. The Team is also responsible for preparing the Community Infrastructure Levy and Supplementary Planning Documents. Other officers across the Council will also provide input on specialist matters.
- 12.2 Consultants will also be employed to supplement existing resources where studies are of a specialist nature and/or where there are benefits in terms of timing to outsource the work, or in providing a critical friend.

## **13.0 Priorities and timetables**

- 13.1 The proposed programme is subject to changes in Government policy, changes in local circumstances; and other factors that might give rise to changed priorities. Legislation, policy and guidance change rapidly and therefore further updates to the programme may need to be made in response to these.
- 13.2 This will be the subject of ongoing monitoring through the Annual Monitoring Report. If the work programme needs to be amended significantly, the Local Development Scheme will be revised and approved by the Council's Policy and Resources Committee and made available on the Council's website.

**Appendix 1**

**Local Plan - Summary Table**

<i>Title</i>	<b>Local Plan</b>
<i>Topic</i>	The document provides the strategic vision for the future development of Canterbury district until 2031 and allocates sites to meet identified development requirements. It will set out a range of topic-based policies against which all planning applications will be assessed.
<i>Geographical area of coverage</i>	The district of Canterbury City Council
<i>Will it be a Development Plan document?</i>	Yes
<i>Chain of conformity</i>	The Local Plan will need to be in general conformity with the National Planning Policy Framework, and other relevant national guidance. It will also have regard to the objectives of the Council's Corporate Plan and other strategies of the Council.
<i>Will it be produced jointly with other authorities and will this involve a joint committee? If so, then with whom?</i>	No. However, the Council has a duty to cooperate with neighbouring districts.
<i>Timetable &amp; Milestones</i>  Reg 19, 20 – Consultation on Publication Draft  Reg 22 - Formal Submission  Reg 23, 24 – Examination  Reg 25 – Inspector's report  Reg 26 - Adopt DPD	June 2014  November 2014  <i>Stage 1 Examination July 2015</i> <i>Stage 2 Examination July &amp; September 2016</i>  <i>This will be determined by the Examining Inspector (the Council have given an indicative estimated timeline of December 2016)</i>  <i>This will lead on from Reg 25 above (the Council have given an indicative estimated timeline of March 2017)</i>
<i>Review of Local Plan</i>	The Local Plan will be monitored annually and will be subject to review if the monitoring highlights a need. The document will be formally reviewed at least once every four years, unless circumstances dictate otherwise.

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<i>Issues to be covered</i>	<p>The Local Plan will address the strategic vision and direction for the District and set the planning framework for the area. It will identify sites for development; necessary supporting social/physical infrastructure and those areas of the District that should be protected from development in the longer term. It needs to be prepared in cooperation with neighbouring local authorities to ensure that cross-boundary strategic issues are addressed and take account of other relevant strategies.</p>
<i>Resources</i>	<p>Primarily this document will be developed by existing officers, in conjunction with other Council Departments and other public bodies.</p> <p>Some additional research to support the robust evidence base may need to be funded through the Council's corporate budgets, as well as existing Local Plan budgets (and overseen by Planning Policy staff).</p>
<i>Consultations</i>	<p>It is the Council's intention to continue to consult across a wide range of stakeholders.</p> <p>Consultation will be carried out in line with the adopted Statement of Community Involvement (SCI) (as amended by changes to relevant regulations).</p>

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**Local Plan**

	2016												2017												2018											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Regulation 24 Examination																																				
Regulation 25 Receive/Publish Inspector's draft report *																																				
Regulation 26 Adopt DPD																																				

The dates set out above are indicative estimates.

\*These stages will be determined by the Examination Inspector.

## Appendix 2

### Gypsy & Traveller Sites DPD - Summary Table

<i>Title</i>	<b>Gypsy &amp; Traveller Sites DPD</b>
<i>Topic</i>	The document will provide the framework for the provision of sites for Gypsy and Traveller accommodation
<i>Geographical area of coverage</i>	The district of Canterbury City Council
<i>Will it be a Development Plan document?</i>	Yes
<i>Chain of conformity</i>	The DPD will need to be in general conformity with the National Planning Policy Framework, and other relevant national guidance. It will also have regard to the objectives of the Council's Corporate Plan and other strategies of the Council, where relevant.
<i>Will it be produced jointly with other authorities and will this involve a joint committee? If so, then with whom?</i>	<p>No, although there is an evidence base shared with neighbouring authorities. The Council will continue to engage with neighbouring districts as preparation of the DPD progresses.</p> <p>The East Kent authorities are currently working on the basis that each Council will seek to meet its own accommodation needs.</p>
<p><i>Timetable &amp; Milestones</i></p> <p>"Call for sites" and early engagement with local Gypsy &amp; Traveller community (Reg 18)</p> <p>SA scoping report work (Reg 18)</p> <p>Reg 18 – Options/Preferred Options consultation and engagement</p> <p>Reg 19, 20 – Consultation on Submission/Publication Draft</p> <p>Reg 22 - Submission</p> <p>Reg 23, 24 – Examination</p> <p>Reg 25 - Inspectors report</p> <p>Reg 26 - Adopt DPD</p>	<p>Nov 2014 – Jan 2015</p> <p>Sept 2016</p> <p>November 2016</p> <p>March 2017</p> <p>May 2017</p> <p>July 2017</p> <p>September 2017</p> <p>October 2017</p>
<i>Review of DPD</i>	The DPD will be monitored annually and will then be the subject of a review if the monitoring highlights such a need. The

	document will be formally reviewed at least once every five years, unless circumstances dictate otherwise.
<i>Issues to be covered</i>	The DPD will identify the need for Gypsy and Traveller accommodation with the district, and will make the necessary provision for the period up to 2027.
<i>Resources</i>	This DPD will be prepared by Consultants, with officer input.
<i>Consultations</i>	<p>It is the Council's intention to continue to consult across a range of relevant stakeholders, with particular emphasis on meaningful engagement with the local Gypsy and Traveller communities.</p> <p>Consultation will be carried out in line with the adopted Statement of Community Involvement (SCI) (as amended by changes to relevant regulations).</p>



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Gypsy & Traveller Sites DPD	2016												2017												2018											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
	Regulation 18 Options/Preferred Options Consultation																																			
Regulation 19 Proposed Submission Draft publication																																				
Regulation 22 Submission																																				
Regulation 24 Examination																																				
Regulation 25 Receive/Publish Inspector's draft report																																				
Regulation 26 Adoption of DPD																																				