



# EXECUTIVE BOARD DECISION

**REPORT OF:** Executive Member for Regeneration

**LEAD OFFICERS:** Director of Growth and Development

**DATE:** 8 February 2018

**PORTFOLIO/S AFFECTED:** Regeneration

**WARD/S AFFECTED:** All

**KEY DECISION:** YES  NO

**SUBJECT: Blackburn with Darwen Local Development Scheme (LDS)**

## 1. EXECUTIVE SUMMARY

The Local Development Scheme (LDS) is a three-year project plan for preparation of the planning documents the local planning authority intends to prepare in the forthcoming years and the timetable for the preparation of those documents.

The Council is required by planning legislation to prepare and maintain a Local Development Scheme.

## 2. RECOMMENDATIONS

That the Executive Board:

1. Approves the Local Development Scheme (2018) that sets out a work programme for the next three years (2018 – 2021).

## 3. BACKGROUND

The Council adopted its last Local Development Scheme (LDS) in January 2017. This set out a programme of work for one year mainly focusing on the production of various Supplementary Planning Documents (SPDs) and Masterplans.

The focus is now turning to the commencement of a new Local Plan for the Borough. This will replace the adopted Core Strategy (adopted in January 2011) and the Local Plan Part 2: Site Allocations and Development Management Policies (adopted in December 2015). There are three key reasons why this is now a clear priority:

- Emerging updates to legislation and planning regulations driving an expectation for up to date local plans that were set out as proposals in the Government's Housing White Paper (February 2017) – further detail is set out in paragraph below; and
- The need to bring the evidence base up to date with particular requirements to have a clear understanding of housing and economic trends and potential future needs within the Borough

and how this relates to neighbouring authorities.

- Maintain a pipeline of development sites.

New regulations are being brought forward by Government to commence on 5 April 2018 that require local authorities to review Local Plans and their Statements of Community Involvement at least every five years from the date of their adoption. Local Authorities will need to carry out an assessment of whether a Local Plan or Statement of Community Involvement remains relevant and effectively addresses the needs of the local community, or whether policies need updating. Having carried out this assessment authorities must decide:

- that one or more policies do need updating, and update their Local Development Scheme to set out the timetable for updating their plan, and then update their plan; or
- that their policies do not need updating, and publish their reasons for this decision.

Government therefore expects local authorities to have in place an up to date Local Development Scheme to demonstrate to all relevant parties (e.g. local communities, developers, infrastructure providers) what the Council intends to do in terms of its Local Plan. Given the intention to develop a new Local Plan, it is essential that a new LDS is in place to provide key information on how the Local Plan will be produced, and set out intended key milestones for the various stages that the plan will go through until adoption.

#### **4. KEY ISSUES & RISKS**

It is already acknowledged that the Core Strategy is in need of review given it was adopted in 2011. Moreover, the impetus for a review is lent further weight by the new regulations requiring consideration of Local Plan reviews every five years that commence on 5 April 2018. Whilst the Local Plan Part 2 is of more recent vintage (adopted 2015) it is a logical step to commence a review of the two plans together to enable a single new Local Plan to be developed over the next three years. It provides an opportunity to bring up to date the spatial strategy for Blackburn with Darwen; and develop policies that meet the challenges now faced in the Borough.

The main risk is associated with a course of action that does not proceed with a new Local Plan. Government is clear in bringing in the new regulations with respect to five year reviews of Local Plans that it expects local authorities to maintain an up to date planning framework for their areas.

There are risks associated with developing a new Local Plan and these are detailed in the risk assessment that accompanies the draft Local Development Scheme. All of the risks are in general terms common to most local plan processes and suitable mitigation has been identified in the risk assessment to reduce the potential challenges that lie ahead.

#### **5. POLICY IMPLICATIONS**

By developing a new Local Plan, the Council will ensure that it has an up to date land use policy framework for the Borough that will help deliver the growth agenda.

#### **6. FINANCIAL IMPLICATIONS**

It is estimated that preparation of the Local Plan will cost up to £600,000 over the next 3 years. Funding will be provided from earmarked reserves with £200,000 available during the 2018/19 financial year.

#### **7. LEGAL IMPLICATIONS**

Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) with further requirements and guidance set out in the Town and Country Planning (Local

Planning) (England) Regulations 2012 requires local planning authorities to prepare and maintain a Local Development Scheme and most relevantly for this report, requires them to be reviewed as per Regulation 10A of the 2012 regulations referred to above.

Approving the LDS will ensure the Council is continuing to meet its legal requirements.

## 8. RESOURCE IMPLICATIONS

Any resource implications of approving and maintaining the LDS will be met from existing Growth Team budgets.

## 9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

## 10. CONSULTATIONS

The LDS is a three year work programme for the Growth Team and as a result consultation on the document is not necessary.

The LDS will be published on the Council's website.

## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

<b>VERSION:</b>	<b>3</b>
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<b>CONTACT OFFICER:</b>	<b>Laura Ainscow-Gorst</b>
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<b>DATE:</b>	17/01/18
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<b>BACKGROUND PAPER:</b>	
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