



EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Growth and Development
LEAD OFFICERS:	Strategic Director of Growth & Development
DATE:	Thursday, 7 September 2023

PORTFOLIO/S AFFECTED:	Growth and Development
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Y

SUBJECT: Blackburn with Darwen Local Development Scheme (LDS)

1. EXECUTIVE SUMMARY

The Council is required to publish, and keep up to date, a Local Development Scheme (LDS) for the Borough. The LDS is a project plan setting out the Council's intentions with regards to preparing its new Local Plan (2021-2037) and relevant supporting documents. The primary purpose of the LDS is to set out an expected timetable for any public consultations, alongside adoption dates, of the Local Plan and its supporting documents. This helps to give certainty to all stakeholders who are involved or impacted by the Local Plan, including the public, landowners and developers.

2. RECOMMENDATIONS

That the Executive Board:

- Approve the updated Local Development Scheme (LDS), provided as Appendix A, to confirm the broad programme of work for the next two year period;
- Approve the commencement of procurement for the North East Blackburn Strategic Housing Site Masterplan and prepare a new collaboration agreement with landowners; and
- Note that further details will be provided to a future Executive Board meeting seeking approval of the agreed collaboration arrangements together with the funding and appointment of a masterplanner following a competitive tender exercise.

3. BACKGROUND

The new Local Plan (2021-2037) continues its course through its examination in public (EiP) process. Whilst the Council expects the EiP to conclude later in 2023, and formally adopt the new plan in early 2024, a number of other supporting documents will be required to ensure that:

- a) development sites can come forward within the timeframes anticipated in the Local Plan development trajectories;
- b) suitable guidance is offered to landowners and developers in helping them prepare planning applications under the new planning framework;
- c) new policies are applied appropriately in the decision making process; and
- d) to update existing supplementary planning guidance to accord with national planning policy.

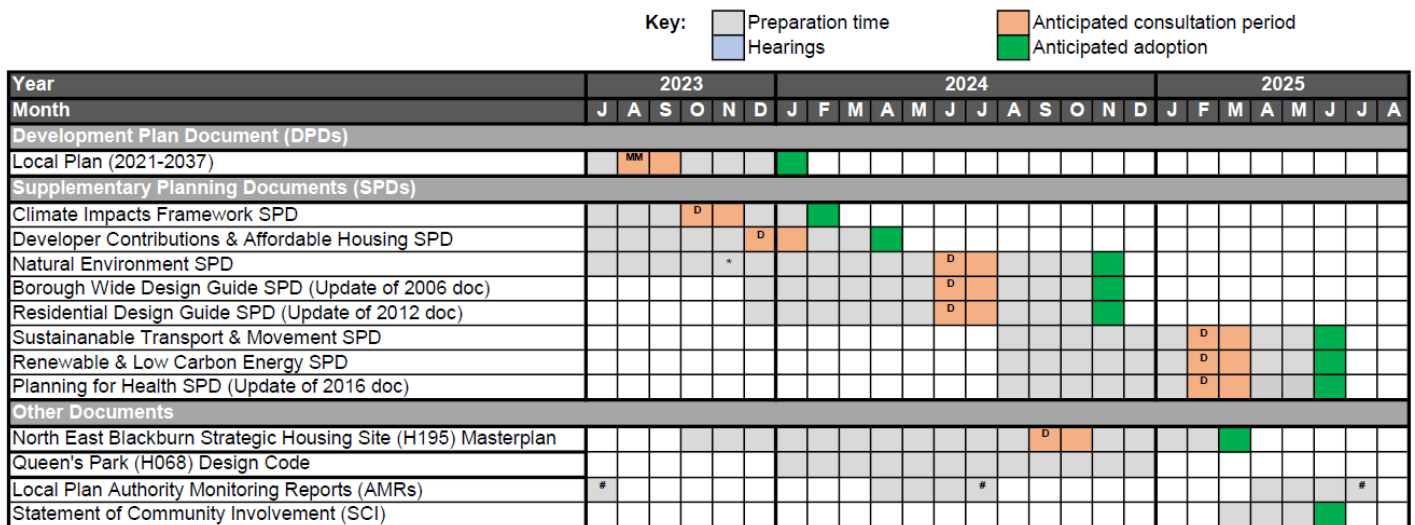
The updated LDS (provided as Appendix A) identifies the following documents that are expected to be brought forward over the next 2 year period. 'SPD's are Supplementary Planning Documents which build upon and provide more detailed advice or guidance on particular policies within the Local Plan.

Documents are listed in the order in which work is expected to commence (or has already done so). The anticipated completion/adoption date of each is provided in brackets following.

1. Local Plan (2021-2037) (January 2024)
2. Climate Impacts Framework SPD (February 2024)
3. Developer Contributions and Affordable Housing SPD (April 2024)
4. North East Blackburn Strategic Housing Site Masterplan (estimated March 2025, to be confirmed following appointment of masterplanning consultants)
5. Natural Environment SPD (November 2024)
6. Borough Wide Design Guide / Design Code SPD (November 2024)
7. Residential Design Guide / Design Code SPD (November 2024)
8. Sustainable Transport and Movement SPD (June 2025)
9. Renewable & Low Carbon Energy SPD (June 2025)
10. Planning for Health SPD (June 2025)

The chart below summarises the expected timetable for the preparation, consultation and adoption of each document. This is taken from Appendix 2 of the LDS, which provides further details on the scope of each document, and key information around resourcing and risk management of the overall work programme.

Blackburn with Darwen Local Development Scheme timetable (2023-25)



MM Public consultation on 'main modifications' arising through the Local Plan EIP process
 D Public consultation on a 'draft' document
 * Interim guidance on Biodiversity Net Gain in form of a Planning Advice Note (PAN) prior to SPD development
 # AMR's do not require formal 'adoption' and will just be published on the Council's website once complete

4. KEY ISSUES & RISKS

The current Local Plan (comprised of Part 1 and Part 2, adopted in 2011 and 2015 respectively) is now considered 'out-of-date' as it is over five years since its adoption, and the Council identified the need for a review to bring policies in line with the national planning policy framework. Progression of the new Local Plan (2021-2037) to adoption is therefore key to avoiding potential reduction of powers over decision making, and to maintain the Borough's balanced growth. To ensure that the new Local Plan's policies are effectively applied and delivered, the programme of supporting documents set out in the LDS are also required.

There are risks associated with developing a new Local Plan, and these are detailed in the risk assessment that accompanies the LDS. 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 potential challenges that lie ahead.

5. POLICY IMPLICATIONS

By developing and adopting a new Local Plan (and its supporting masterplan/SPDs) the Council will ensure that it has an up to date land use policy framework for the Borough. This will help to deliver the Council's growth agenda, and core missions of the Council set out in its Corporate Plan.

6. FINANCIAL IMPLICATIONS

Remaining costs for completion and adoption of the Local Plan (2021-2037) are expected to be covered by the existing agreed budget.

There are no direct financial implications arising from this report.

The SPDs scheduled for the 2023/24 financial year are expected to be met through existing departmental budgets. This includes the Developer Contributions and Affordable Housing SPD, and the Climate Impacts Framework SPD.

The SPDs scheduled for the 2024/25 financial year will have some further costs associated with them as this will include urban design expertise which is currently not available within the Council (e.g. for SPD updates on design (revisions to Design Guides), and a Design Code for the Queen's Park self-build site). The Growth and Development Team will consider options for funding this work and a request will be made through normal budget setting procedure for the next financial year should it be required.

For the North East Blackburn Strategic Housing Site Masterplan, following approval to commence the procurement process, a landowner meeting will be scheduled to discuss the procurement strategy, surveys and cost allocations, and to prepare and agree a new Collaboration Agreement. Further details will be brought to an Executive Board meeting setting out financial implications to the Council once agreement has been made with all landowners.

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

As identified under financial implications, a budget will be required to pursue the proposed SPDs in 2024/25. There are currently no qualified urban designers within the local authority and therefore external expertise will need to be sought to progress this work.

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 work programme for the Growth Team and as a result external consultation on the document is not necessary. The LDS will be published on the Council's website, and consultation on individual documents set out in the LDS is expected to be conducted as per the timetable provided.

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.

VERSION:	Rev3
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CONTACT OFFICER:	PMO
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DATE:	September 2023
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BACKGROUND PAPER:	1. Appendix A – BwD Local Development Scheme (September 2023)
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