

Eden District Council

Executive

5 November 2019

## Local Development Scheme and Statement of Community Involvement

<b>Portfolio:</b>	Leader
<b>Report from:</b>	Assistant Director Planning and Economic Development
<b>Wards:</b>	All Wards
<b>OPEN PUBLIC ITEM</b>	

### 1 Purpose

- 1.1 To set out the Local Development Scheme (LDS) and Statement of Community Involvement in support of undertaking a full review of the Local Plan along with agreement to an indicative budget.

### 2 Recommendation

It is recommended that a full review of the Eden Local Plan 2014-2032 commences based on agreement of the following documents and indicative budget:

- (i) The attached Draft Local Development Scheme (Appendix 1); and
- (ii) The attached Statement of Community Involvement (Appendix 2); and
- (iii) The indicative budget of £250,000 over the plan period with a contingency fund of £50,000.

### 3 Report Details

- 3.1 In October 2018, Eden District Council adopted the Eden Local Plan 2014-2032. The Local Plan sets out the strategic objectives and policies for development within the area and includes policies on housing (including the number of new homes to be delivered over the Plan period), Eden's settlements (excluding those within the Lake District National Park prior to extension in August 2016), the economy, the environment, the rural area, communities and development principles.
- 3.2 It should be noted that the Yorkshire Dales National Park Authority has indicated that it will be developing its Local Plan over the next four years, so there may be opportunities to share information about common areas between the two Local Planning Authorities.
- 3.3 At the Executive meeting of 3 September 2019, Members resolved that:
- 1. The Executive commits, in principle, to a full review of the Eden Local Plan 2014–2032 as set out as option 3 within the report;
  - 2. that the Local Development Scheme and Statement of Community Involvement be prepared for consideration by the Executive in

November 2019 along with an indicative budget proposal for the review of the Local Plan; and

3. an early review of additional employment land options be scoped and commences immediately for Penrith, due to the pressing demand to create new employment opportunities to support the council's growth aspirations.
- 3.4 The new administration considered an early review of the Local Plan was essential in delivering their aspirations for the District. There is a strong desire for the Council to take a leading role in protecting and enhancing the local environment and ensuring that development within the area has a positive overall effect on the low carbon. In addition, there is an acknowledgement that the Council has a central role to play in halting and reversing the declining working age population of the District that is predicted to take place over the foreseeable future within the District and within Cumbria. The Local Plan is therefore considered to be a key lever in bringing about ambitious, yet sustainable growth for the District and addressing some of the wider issues the area faces.

### **Local Development Scheme (LDS)**

- 3.5 Planning Practice Guidance issued by the Ministry of Housing, Communities and Local Government confirms what the local development scheme should contain.
- 3.6 An LDS is required under Section 15 of the Planning and Compulsory Purchase Act 2004. This must specify the development plan documents (i.e. local plan documents) which when prepared, will comprise part of the development plan for the area. Local planning authorities are encouraged to include details of other documents which form (or will form) part of the development plan for the area, such as Neighbourhood Plans. The LDS must be made available publicly and kept up-to-date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website.
- 3.7 A draft LDS is attached as Appendix 1 which focuses on the review of the Eden Local Plan 2014-2032. This will be developed in due course to include the other development plan documents which combine to form the overall Development Plan for Eden District.
- 3.8 The existing Local Development Scheme was prepared in December 2013 and focuses on the preparation and development of the current Eden local Plan 2014-2032. Planning Policy Guidance (PPG) advises that an LDS should be a living document and updated on an annual basis, however no subsequent update was undertaken due to limited resources within the Planning Policy Team. The draft LDS, if agreed by the Executive, will then be the subject of a report to full Council for their adoption in due course.

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

- 3.9 Planning Policy Guidance confirms that as with a Local Plan, local planning authorities must review their SCI every five years from the adoption date. It is important that the SCI is kept up-to-date to ensure effective community involvement at all stages of the planning process. Therefore, a local planning

authority should regularly review and update their SCI to reflect any changes to engagement.

- 3.10 A local planning authority may review and update their SCI at the same time as reviewing and updating a Local Plan to reflect what action is being taken to involve the community in any changes to the plan.
- 3.11 Local planning authorities must set out in their SCI how they will engage communities on the preliminary stages of plan making, specifically the survey stage within the local development scheme. There is no requirement for a local planning authority to consult when reviewing and updating their SCI.
- 3.12 A SCI was published in December 2013 when work commenced on the current Local Plan. This existing document has however been reviewed and updated since the Executive meeting of 3 September and is now considered sound and in accord with the requirements of the National Planning Policy Framework (NPPF) and PPG. The SCI has also been updated to take account of the extensions of the Lake District National Park and the Yorkshire Dales National Park into Eden District.
- 3.13 The 2013 SCI indicated that it would take approximately two years to complete the Local Plan, which ultimately took five years due to the need for further reviews and re-consultation identified by the Inspector as the hearing sessions progressed. It is therefore reasonable to assume that the forthcoming full review of the local plan will take in the region of four years. The reviewed and amended SCI will therefore be the subject of a further report to full Council for adoption in due course and is attached as Appendix 2.

### **Indicative Budget**

- 3.14 It is difficult to accurately predict the cost of a full Local Plan review. The current Eden Local Plan was originally forecasted to take two years to complete, but ultimately took five years due to the need for further reviews and re-consultations identified by the Inspector together with a series of additional hearing sessions. As a consequence, the original budget in the region of £250,000 increased in a series of increments to £349,000. This was due to further work being commissioned and the inspector's time increased due to the additional workload revolving around reviewing the increasing evidence base and revising the wording of the Local Plan, together with additional hearings and consultations. This is in addition to staff time over the five-year period which has not been identified as a cost to the authority.
- 3.15 Following the Executive meeting on 3 September, officers have contacted each of the Cumbrian district authorities together with the Yorkshire Dales National Park, asking how much they have set aside for their own Local Plan review. Currently responses have only been received from Carlisle, Copeland and Yorkshire Dales National Park, none of which account for staff time and which are detailed below.
  - Carlisle – 2016 adopted Local Plan including examination and programme officer, but excluding sustainability appraisal and habitats regulations assessment which were done in house – £200,000. (Three planners and monitoring officer)

- Copeland - currently reviewing costs for their review of their Local Plan in the region of – £250,000.
  - Yorkshire Dales National Park – previous Local Plan cost in region of £150,000 excluding staff costs. The new Local Plan is being found to be more expensive. This year spending £100,000 on socio-economic study and/or landscape study anticipated cost over four years – £250,000 (does not include staff time - equivalent of 3 full time employees).
- 3.16 The above costs puts the initial estimate in the region of £250,000 into perspective. Additional costs experienced by Eden District Council in the currently adopted Local Plan can be attributed to work associated with the provision of additional evidence, additional hearings and consultations required by the Inspector. This is in addition to having to deal with the unexpected European Judgement on ‘People over Wind’ which required additional evidence associated with the Habitats Regulations Assessment as the Local Plan moved towards adoption.
- 3.17 It cannot be overstated that the initial estimate of £250,000 may be subject to variation depending on the public acceptance to the issues and options going forward based on a clear evidence base. Any unexpected issues coming forward will involve additional time and expense but this could be offset by undertaking work in house or in partnership with other authorities. As a safeguard against unexpected costs an additional £50,000 could be set aside as a contingency fund or would have to be taken from reserves as required.
- 3.18 The cost would be spread over the period of the Local Plan:
- 2019-20 - £25K
  - 2020-21 - £100K
  - 2021-22 - £100K
  - 2022-23 - £25K
- Any increased cost could be drawn from the following year with the knowledge that additional monies could be drawn from reserves in the concluding year(s) of the Local Plan.
- 3.19 Whilst seemingly expensive to develop, a review of the Local Plan is a statutory requirement which does provide positive benefits to the authority. A well-defined plan provides confidence for the development industry in terms of the amount of housing and employment land which can be provided and developed within a specified timeframe, providing an uplift in land value together with the development and sustainability value coming forward for the benefit of the community. This is in addition to the long-term revenue increase to the council in terms of council tax, business rates, local spending all as part of an economic uplift throughout Eden and including the provision of affordable housing.

## **4 Policy Framework**

- 4.1 The Council has four corporate priorities which are:
- Decent Homes for All;
  - Strong Economy, Rich Environment;

- Thriving Communities; and
- Quality Council

- 4.2 A full review of the Local Plan will contribute to the furtherance of all the council's current corporate priorities and new priorities coming forward in the new corporate plan.

## **5 Consultation**

- 5.1 The process of reviewing the Local Plan will be driven by the administration's desire to develop an environmentally sustainable approach for the District and to be ambitious with developments to overcome the projected demographic deficit of working age people within the District. There will be significant and ongoing opportunities for consultation for Members and a wide range of stakeholders throughout the review of the Local Plan process.

## **6 Implications**

### **6.1 Financial and Resources**

- 6.1.1 Any decision to reduce or increase resources or alternatively increase income must be made within the context of the Council's stated priorities, as set out in its Council Plan 2015-19 as agreed at Council on 17 September 2015.
- 6.1.2 On 3 September 2019 the Executive agreed to consider a full review of the Local Plan. It should be noted that there is currently no provision for such a review. As noted in the report a full review of the Local Plan is likely to cost in excess of £250,000 and could include an additional contingency of £50,000. There may be limited opportunities to reduce this figure by streamlining some of the processes and timescales involved in the development of the Local Plan and by sharing some work elements with neighbouring or adjoining authorities where they are undertaking their own Local Plan work. Equally it is difficult to anticipate how a Local Plan will progress as demonstrated by the current Local Plan which was significantly delayed and incurred additional expense in addressing the inspector's requirements during the hearing sessions. Given the financial pressure that the authority currently faces, this is a significant level of additional expenditure to commit to.

### **6.2 Legal**

- 6.2.1 Any review of the Local Plan shall be required to comply with the provisions of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) as set out in this report.

### **6.3 Human Resources**

- 6.3.1 There will be significant staffing resources committed to reviewing the Local Plan and other development plan documents if Members choose to agree the recommendations within the report.

### **6.4 Statutory Considerations**

Consideration:	Details of any implications and proposed measures to address:
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Equality and Diversity	There are no equality and diversity implications arising from this report.
Health, Social Environmental and Economic Impact	It is intended that the policies contained in within a review of the Local Plan would have a positive impact on the health, environment and economy of the District.
Crime and Disorder	There are no crime and disorder implications arising from this report.
Children and Safeguarding	There are no children and safeguarding implications arising from this report.

## 6.5 Risk Management

Risk	Consequence	Controls Required
The Local Plan is not subject of a review.	Failure to review the Local Plan could result in a missed opportunity to address demographic issues the District is forecast to suffer from and a loss of opportunity to strengthen the Council's approach to addressing climate change issues on a comprehensive basis and a failure to maintain a justifiable five year housing land supply.	A full review of the Local Plan would allow the Council to address issues the District faces in a sustainable manner.
Insufficient Employment Land identified.	Failure to have sufficient employment land identified presents a risk to current and future growth aspirations for the District.	An early study of employment land needs and locations for growth, particularly in the high demand area of Penrith, will complement and help inform the development of the new Local Plan.

## 7 Other Options Considered

- 7.1 This report addresses the resolution of the Executive of 3 September 2019, in confirming the detail of the Local Development Scheme, the Statement of Community Involvement and the budget requirements involved in a full review of the Eden Local Plan. There are no further options to consider in enacting the agreed recommendations of the Executive from the 3 September.

## **8 Reasons for the Decision/Recommendation**

- 8.1 Local Planning Authorities have a statutory duty to prepare, and regularly review a Local Plan every five years. The Local Development Scheme and Statement of Community Involvement are crucial parts of the Local Plan's preparation.

### **Tracking Information**

<b>Governance Check</b>	<b>Date Considered</b>
<b>Chief Finance Officer (or Deputy)</b>	
<b>Monitoring Officer (or Deputy)</b>	24 October 2019
<b>Relevant Director</b>	18 October 2019

### **Background Papers:**

**Appendices:**                    **Appendix 1: Draft Local Development Scheme**  
   **Appendix 2: Draft Statement of Community Involvement**

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