

**Luton and South Bedfordshire  
Joint Committee  
21 September 2007**

**Agenda Item No. 9**

<b>AUTHORS</b>	<b>Joint Officer Team (Alan Storah)</b>
<b>SUBJECT</b>	<b>Local Development Scheme (LDS)</b>
<b>PURPOSES</b>	<ol style="list-style-type: none"> <li>1. To inform the Committee about the progress on finalising the LDS;</li> <li>2. To inform the Committee about the nature of the necessary changes that have been made to the draft LDS</li> </ol>
<b>RECOMMENDATIONS</b>	<p>That the Committee notes that:</p> <ol style="list-style-type: none"> <li>a) changes have been made to the LDS as a matter of necessity;</li> <li>b) these changes follow on-going discussions with the Government Office; and</li> <li>c) the revised LDS was submitted to the Government Office for their approval by the due deadline of 13<sup>th</sup> September 2007.</li> </ol>
<b>REASON FOR RECOMMENDATIONS</b>	<b>To update the Committee on progress regarding its LDS</b>

1 The Local Development Scheme sets out the Local Development Documents that an authority intends to produce incorporating the proposed time-scale. The production of the LDS is a statutory requirement. At its meeting of 24<sup>th</sup> November 2005, the Joint Planning and Transportation Committee considered a report setting out initial proposals for the contents of the LDS. The Committee resolved to:-

- approve the LDS as a basis for consultation with the Government Office/key stakeholders and eventual submission to Government Office; and

- delegate to the Joint Officer Team, in consultation with the Leader of BCC, LBC and SBDC finalisation of the LDS submission in negotiation with Government Office.
- 2 A number of amendments are now necessary to that first draft LDS since it was last considered as a consequence of the changing circumstances during the intervening period. These necessary amendments result from both slippage on making progress with the LDF in combination with the manner in which the nature of what is required (i.e. the plan-making process) is evolving and changing. This includes an emerging view from the Inspectorate that the Core Strategies have to be more substantial than had been originally anticipated. The Core strategies of several authorities to date have been rejected as being “unsound” for various reasons.
- 3 The main changes to the previous LDS are listed below. It should, however, be noted that the key target for the completion of the Core Strategy must remain in 2009.
- (i) a reduction in the production of documents to facilitate the delivery of the Growth Area from 3 (Core Strategy, Growth Area DPD and Area Action Plans) to 2 with AAPs becoming only an optional extra if necessary to facilitate the scale of development required to meet the phasing policy.
  - (ii) the Core Strategy will include a Green Belt boundary review (although not to the degree of detail that defines the exact final boundary revisions).
  - (iii) the introduction of a Development Control Policies DPD, in parallel with the Core Strategy, in order to have policies immediately in place when the Core Strategy is adopted and facilitate progress on both documents (e.g. at consultation and examination stages) without duplication of time and effort.
  - (iv) the Growth Area DPD is to be renamed the Allocations DPD, in order to give clarity to developers as to what its function will be.
  - (v) A series of additional inter-related risks are incorporated, which comprise:-
    - brownfield sites not being developed and housing targets not being met as a consequence of lack of infrastructure provision;
    - failure to meet housing targets resulting in reduced Housing and Planning Delivery Grant awards; and
    - premature planning applications for major urban extensions (placing extra demands on staff of the Joint Technical Unit as a result of appeals).
  - (vi) the need to undertake additional studies now required by Government (these being Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments).
- 4 The Committee’s LDS was submitted to the Government Office (GO) by the 13<sup>th</sup> September 2007 deadline for their approval. GO have previously intimated that they are satisfied with the proposed changes and hence it is anticipated that it will be approved in due course.

- 5 The extent to which documents are produced in accordance with the time-table specified in the LDS will be monitored through the Annual Monitoring Report which is itself a statutory requirement.

### **FINANCIAL IMPLICATIONS**

- 6 The LDS incorporates targets for document production against which the Joint Committee will be assessed in terms of their delivery. The success, or otherwise, in meeting these targets will have implications for the award of Housing and Planning Delivery Grant to the Joint Committee. Agreed by the Finance Manager for Environment & Regeneration on 6<sup>th</sup> September 2007.

### **LEGAL IMPLICATIONS**

- 7 The production of the LDS is a statutory requirement. Its submission to the GO by the deadline set in the 2004 Act is to be welcomed. It will be necessary to ensure that a final version is approved and published in accordance with the Regulations. These legal implications have been agreed with Viv Mercer in Luton Borough Council Legal Services on 10<sup>th</sup> September 2007.