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## **A LOCAL DEVELOPMENT SCHEME FOR THE ROCHFORD DISTRICT**

### **1 SUMMARY**

- 1.1 The Government's Planning and Compulsory Purchase Act states that the Council must prepare and maintain a scheme to be known as its Local Development Scheme (LDS). The LDS is not subject to independent examination, nor is it published for the public to make formal comment. The Local Planning Authority must submit its LDS to the Government Office for the East of England within 6 months of commencement of the Act.
- 1.2 This report seeks Members' approval for the Rochford LDS to be adopted and submitted.

### **2 INTRODUCTION**

- 2.1 A report was submitted to Members of this Committee in February 2004 and an approach to the preparation of the LDS was agreed (Minute 74/04 refers). In fulfilling this resolution, a draft LDS has been prepared and this is contained in Appendix 1.
- 2.2 The document contains the following sections:
- Overview
  - Glossary
  - Production Schedule
  - Production Programme
  - Local Development Document Summaries
  - Supporting Statement
  - Evidence Base
- 2.3 The Rochford District LDS has been produced using guidance provided by the Government Office for the South East and using, in part, models provided by Dover District Council and Ipswich Borough Council. This is because no formal best practice guidance has been made available, either nationally or regionally.
- 2.4 The LDS will be put together drawing on themes from the Community Plan and using evidence from consultants who will prepare and update, amongst other documents identified in the evidence base, a Strategic Environmental Assessment, an Urban Capacity Study, a Housing Needs Study and a Sustainable Housing Location Assessment.
- 2.5 The LDS will then look to deliver a framework that can be used to implement and control development throughout the District using a number of themes. These themes are broadly:

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- Statement of Community Involvement
  - A core strategy
  - Proposal Maps
  - Subject themes (such as Green Belt, housing, etc.)
  - Development Control policies
  - Area Action Plans
  - Development Briefs
  - Supplementary Planning Documents.

- 2.6 Members should note that there is a significant change to consultation procedures. The LPA will have to prepare and adopt (following a public inquiry) a Statement of Community Involvement. This document will lay out the minimum requirements for public consultation in all areas of planning. The LPA must demonstrate its commitment to consulting with groups that have currently proved difficult to engage. Such an approach may, in the longer-term, also have significant resource implications.
- 2.7 Members should also note that three of the Local Development Documents (LDDs) are proposed as joint documents. These are the Battlesbridge Conservation Area Appraisal and Parish Plan (with Chelmsford Borough Council) and London Southend Airport and Foulness & Surrounding MoD Land Development Briefs (with Southend-on-Sea Borough Council).
- 2.8 The LDS also includes a document entitled Saved Policies. This document will enable current policies from the adopted Local Plan to be saved until such time as policies within LDDs replace them.

### **3 RISK IMPLICATIONS**

#### **3.1 Operational Risk**

The preparation of the LDS has identified a severe shortage of time and resources to implement the Scheme effectively and to carry out the monitoring required. Additional resources will need to be identified to ensure that consultancy expertise can be bought in, together with enhanced administrative support.

#### **3.2 Regulatory Risk**

Failure to create, adopt and maintain an up to date Local Development Scheme may lead to action being taken against the Council by the ODPM or Regional Government Office.

**4 RESOURCE IMPLICATIONS**

- 4.1 As stated in 3.1, additional resources will be required to ensure that the proposals can be implemented effectively. Out of hours working will also be required to carry out negotiations and public consultation with *hard to reach* groups.
- 4.2 It is likely that performance against the Local Development Scheme may affect awards made through the Planning Delivery Grant scheme.

**5 LEGAL IMPLICATIONS**

- 5.1 The various legal implications are specified in the Act, but there are various penalties possible for failing to comply. The failure to implement the new planning regime may also have consequences for other areas of planning.

**6 PARISH IMPLICATIONS**

- 6.1 There are implications for certain Parish Councils who will be requested to work in partnership with the District Council in the preparation of area action plans specific to their area.

**7 RECOMMENDATION**

- 7.1 It is proposed that the Committee **RESOLVES**
- (1) That the Local Development Scheme for the Rochford District be adopted with a view to submission to GO-East, to enable the Council to comply with the requirements of the Planning and Compulsory Purchase Act 2004.
  - (2) That Chelmsford and Southend-on-Sea Borough Councils be approached to ensure their agreement to work jointly on development briefs affecting land and interests of both parties and Rochford District Council.
  - (3) That authority be delegated to the Head of Planning Services to carry out minor amendments to the LDS to ensure consistency and correctness.

Shaun Scrutton

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**Background Papers:**

None

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