

Bolsover District Council

Planning Committee

14th October 2015

**Proposed amendment to the Local Development Scheme
to enable consultation on the Council's Identified Strategic Options**

**Report of the Joint Assistant Director of Planning and Environmental Health
(Written by Planning Policy Manager)**

Purpose of the Report

- To outline the proposal to consult on the Identified Strategic Options as opposed to consulting on a Preferred Option and Reasonable Alternatives as currently scheduled in the Local Development Scheme.
- To seek approval for this proposal and the consequential amendments to the Local Development Scheme.

1 Report Details

Background

- 1.1 Members will be aware that the Council adopted its Local Development Scheme at Planning Committee on the 15th October 2014 and that this outlined the following key milestones:
- i. Initial Consultation on what the Plan should contain (Oct/Nov 2014)
 - ii. Consultation on Preferred Options and Reasonable Alternatives (Oct/Nov 2015)
 - iii. Consultation on the Draft Plan (Sept/Oct 2016)
 - iv. Consultation on Publication Plan (June/July 2017)
 - v. Submission (Nov 2017)
 - vi. Adoption (Sept 2018)
- 1.2 Within this, milestones i. and iv. represent the statutory stages of consultation which are specified within the Town and Country Planning (Local Planning) (England) Regulations 2012, whereas milestones ii. and iii. represent locally selected stages of consultation to ensure the Council secures meaningful public engagement in the process and is aware of potential 'showstoppers' that could delay the preparation of the Local Plan in advance of its Publication.
- 1.3 Members will be aware that the Local Plan Steering Group has been overseeing the Council's work in relation to the identification of strategic options for local housing and employment targets and for the spatial distribution of the remaining quantum of development to be allocated within the Local Plan for Bolsover District.

Issues for Consideration

- 1.4 From consideration of the work undertaken to date to identify strategic options, it has become clear that further information is required before members of the Steering Group can make a recommendation to Planning Committee on the Council's Preferred Options for the Local Plan for Bolsover District. In addition, members of the Steering Group have expressed a desire to seek the views of the public and other interested parties on the Identified Strategic Options in advance of making its recommendation. Given the non-statutory nature of this key milestone and the Council's desire to provide greater opportunity for the public and other interested parties to comment, the consequences of this change are limited in terms of process and the overall timescale for Plan preparation. This is however subject to a couple of provisions in relation to:
- i. amending the Local Development Scheme, and
 - ii. ensuring that the Council makes a decision on the preferred option early in 2016.
- 1.5 The revised approach would deviate from the scheduled consultation on a 'Preferred Option and Reasonable Alternatives' as set out in the current published Local Development Scheme. In order to comply with legislation¹ it will be necessary to update the Local Development Scheme timetable in advance of commencing consultation. This will involve adopting the amended Local Development Scheme timetable specifying when it takes effect and issuing a public statement on the amendment explaining the change in purpose of the forthcoming consultation exercise. A copy of the proposed public statement is attached at Appendix 1.
- 1.6 Following consultation on the Identified Strategic Options the Local Plan Steering Group will consider the representations received and identify the potential Preferred Option for further Sustainability Appraisal. Following this the Local Plan Steering Group will report to Planning Committee providing a reasoned recommendation of what it thinks the Preferred Option should be. This recommendation would then be considered by the Planning Committee and its resolution would establish the Preferred Option to inform further critical work on the development of the Local Plan. The Preferred Option would not be consulted upon at this stage but would be developed through work on the potential allocations in advance of consultation on the Draft Plan in Sept/Oct 2016. If the Council is to keep to the adopted timetable for Plan production it is essential that a decision on the Preferred Option is taken in early 2016 in order to guide the preparation of a Draft Plan towards public consultation in September 2016.

2 Conclusions and Reasons for Recommendation

- 2.1 The proposal to consult on the Identified Strategic Options in advance of making a recommendation to Planning Committee on the Council's Preferred Options for the Local Plan for Bolsover District can be accommodated. It is considered that the implications of this action are limited provided that the Local Development Scheme is updated and the Council makes a decision on a Preferred Option early in 2016 as set out in this report.

¹ Section 15(9A) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act)

- 2.2 The contents of this report were considered by the Local Plan Steering Group (LPSG) at its meeting on the 25th September 2015, when it was resolved to ***'recommend to Planning Committee that consultation scheduled for October 2015 should take place on the Council's Identified Strategic Options rather than a Preferred Option and the Reasonable Alternatives as currently set out in the Local Development Scheme; and that the Local Development Scheme is amended accordingly.***

3 Consultation and Equality Impact

- 3.1 Other Officers involved in the preparation of this report were: Principal Planner (Policy), Principal Planner, and Assistant Planner.
- 3.2 Members consulted during the preparation of the report: Members of the Local Plan Steering Group.
- 3.3 An Equality Impact Assessment will be required in advance of publishing a new Local Plan.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council could decide to not to hold this consultation. However, this would mean that the Council's timetable for producing the Local Plan would be delayed, and the key corporate priority of submitting the Local Plan (Strategic Policies and Site Allocations) for examination by the Planning Inspectorate by November 2017 would be unlikely to be met.

5 Implications

Finance and Risk Implications

- 5.1 Work on the new Local Plan can be funded from existing budgets. It is important that this budget is maintained in future years.

Legal Implications including Data Protection

- 5.2 The Council has a statutory duty to make available to the public a statement on any amendment to the Local Development Scheme to explain the change in purpose of the forthcoming consultation exercise and the state of the Council's compliance with the published timetable.

Human Resources Implications

- 5.3 Consultation on the Identified Strategic Options rather than the Preferred Option introduces the need to undertake a larger consultation exercise, due to the wider range of affected areas requiring more extensive coverage of exhibitions/drop-in events. This wider scope of consultation also introduces a greater risk of receiving a higher number of representations during the consultation period. Should this be the case, it is possible that additional resources will be required to ensure the timescale for making a decision on the Preferred Option is not delayed due to the large

volume of representations to be considered. Any request for additional resources will be made in the usual way.

6 **Recommendations**

6.1 That the Planning Committee:

- approves the proposal to amend the consultation scheduled for October 2015 so that it focuses on the Council's Identified Strategic Options rather than a Preferred Option and the Reasonable Alternatives as currently set out in the Local Development Scheme;
- approves the amendment of the Local Development Scheme and that it takes effect immediately; and
- approves the making of a statement to reflect the proposed decision above, as set out at Appendix 1.

7 **Decision Information**

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	Not at this stage, but will lead to one when an option is finalised
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	The new Local Plan will identify suitable areas for development to help to deliver the Council's Growth Agenda. It will assist both developers and local residents by providing certainty about the way the district will develop over the Plan period. It therefore contributes to the following Corporate Aims and their identified priority actions: <ul style="list-style-type: none"> • Unlocking Our Growth Potential (main aim); • Supporting Our Communities to be Healthier, Safer, Cleaner and Greener.

8 **Document Information**

Appendix No	Title
1	Proposed Public Statement outlining the reasons for the

	update to the adopted LDS.
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Helen Fairfax	Ext 2299/7168

Report Reference –

**STATEMENT REGARDING AN AMENDMENT TO THE
BOLSOVER LOCAL DEVELOPMENT SCHEME
Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act)**

Background

The fifth Bolsover Local Development Scheme came into force on the 17th October 2014 and outlines the following anticipated timetable for production of the Local Plan for Bolsover District:

- Preparation – October 2014 to June 2017
- Publication – June 2017
- Submission – November 2017
- Hearing – March 2017
- Inspector's Report – July 2018
- Adoption – September 2018

Within this timetable, the GANTT chart at the rear of the Bolsover Local Development Scheme indicates the following milestones for the preparation stage:

- Non-statutory consultation on Preferred Options & Reasonable Alternatives – October / November 2015
- Non-statutory consultation on Draft Plan – September 2016

Amendment

This Statement concerns the information contained on the GANTT chart regarding the stated non-statutory consultation on Preferred Options & Reasonable Alternatives scheduled for October / November 2015.

At the meeting of Planning Committee held on the 14th October 2015, it was resolved that an amendment be made to the Bolsover Local Development Scheme to amend the purpose of this non-statutory consultation exercise to consult on the Council's Identified Strategic Options.

The information regarding the timetable for production, including the dates of the milestones on the GANTT chart, remains unaltered.