



REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND REGULATORY SERVICES MANAGER

TO: POLICY AND RESOURCCES COMMITTEE

DATE: 14th OCTOBER, 2021

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LOCAL DEVELOPMENT SCHEME

PURPOSE OF REPORT

To agree a revised Local Development Scheme (LDS).

RECOMMENDATION

That the LDS be updated in accordance with the timescales set out in the attached schedule.

REASONS FOR RECOMMENDATIONS

- (1) To comply with section 15 of the Planning and Compulsory Purchase Act 2004 (as amended)
- (2) To ensure that Pendle Council is able to adopt a Local Plan to guide future development and growth in the Borough.

ISSUE

- 1 The Council has a statutory duty to prepare, monitor and review its planning policy documents through the publication of a Local Development Scheme ["LDS"].
- 2 Section 15 of the Planning and Compulsory Purchase Act 2004 requires the Council include within its LDS:
 - Details of its existing planning policy documents, and
 - Any new or replacement documents that it intends to produce.
- 3 This update of the LDS takes account of recent changes to the planning system (but not proposed planning reforms which are yet to be published), including the publication of the revised National Planning Policy Framework (NPPF) in July 2021, and delays to plan preparation caused by the COVID-19 pandemic. It covers the three-year period from October 2021 to October 2024.

- 4 The main purpose of the LDS is to provide clarity to the community on the timescales for the delivery of the emerging Local Plan and show how they can take part in its preparation.
- 5 The Local Plan sets out the overall development strategy for the Borough for the period 2011-2030. It includes both strategic and non-strategic policies and site specific allocations of land for future development. It also provides the policy context for any Neighbourhood Plans that are produced in the borough.
- 6 The Local Plan is the key document in the Development Plan for the borough. The Development Plan is a set of statutory planning documents which influence the nature and location of development in the borough. The Local Plan, Area Action Plans and Neighbourhood Plans are all considered to be Development Plan Documents ["DPD"]. The following table provides a list of current DPDs:

Document	DPDs	Details of adoption
Pendle Local Plan	Saved Policies from the Replacement Pendle Local Plan 2001-2016	Adopted on 18 May 2006
	Bradley Area Action Plan	Adopted on 30 June 2011
	Pendle Local Plan Part 1: Core Strategy	Adopted on 17 December 2015
Neighbourhood Plans	Trawden Forest	Successful at Referendum on 14 November 2018. Formally 'made' at Council on 26 March 2019
	Barrowford	Successful at Referendum on 7 November 2018. Formally 'made' at Council on 17 December 2019
Joint Minerals & Waste Local Plan	Core Strategy Part One & Part Two	Adopted in February 2009
	Site Allocation & Development Management Policies Part One & Part Two	Adopted in September 2013

- 7 The full timetable setting out anticipated progress on the preparation of Local Plan Part 2: Site Allocations and Development Policies ["LP2"] can be found in Appendix 1 of the revised LDS.
- 8 The following DPDs are currently in preparation:

Document	DPDs	Current or next stage
Pendle Local Plan	Pendle Local Plan Part 2: Site Allocations and Development Policies	Regulation 19 Consultation (December to February 2022)
Neighbourhood Plans	Colne	Regulation 16 Consultation (Estimated Autumn 2021)
	Kelbrook and Sough	Regulation 14 Consultation (Consultation ongoing)

- 9 Although no longer required by legislation, for transparency, the LDS continues to include details of the supplementary planning documents ["SPD"] that have been published by Pendle

Council. SPDs do not form part of the Development Plan but are a material consideration in the determination of planning applications. They use a mixture of text, illustrations and practical examples to assist with the implementation of a DPD policy, or to provide guidance about development within a particular area or on a specific site (e.g. development brief).

10 To date four SPDs have been prepared and adopted by Pendle Council.

- Brierfield Canal Corridor Housing Brief SPD27th October 2005
- Conservation Area Design and Development Guidance SPD..... 14th August 2008
- Design Principles SPD 10th December 2009
- Brierfield Railway Street Area SPD9th December 2010

11 A further SPD concerning Development in the Open Countryside and AONB will be prepared.

12 The policies in DPDs and guidance in SPDs are used to guide decisions on applications for planning permission. They help to ensure that these decisions are rational and consistent.

IMPLICATIONS

Policy: The LDS contains details of the documents that will provide the development framework for Pendle up to 2030.

Financial: No additional expenditure arises from the revised timescales in the LDS.

Legal: As the local planning authority the Council is required to prepare an LDS under section 15 of the Planning and Compulsory Purchase Act 2004.

Risk Management: The Council will not fulfil its statutory duties should it fail to publish an up-to-date LDS.

Health and Safety: None arising directly from this report.

Sustainability: None arising directly from this report. Sustainability Appraisal is undertaken throughout the plan-making process to test the impact of new planning policy.

Community Safety: None arising directly from this report.

Equality and Diversity: None arising directly from this report. The documents identified in in the LDS will be subject to equality impact assessments.

APPENDICES

Local Development Scheme – Sixth Revision (October 2021)