

**Decision Maker:** **DEVELOPMENT CONTROL COMMITTEE EXECUTIVE**

**Date:** 24<sup>th</sup> March 2015

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** **LOCAL DEVELOPMENT SCHEME 2015-16**

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**Chief Officer:** Chief Planner

**Ward:** (All Wards);

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1. Reason for report

This report seeks Members' agreement to the revised Local Development Scheme (LDS) for 2015/16 forming Appendix 1 to the report, which sets out the timescale for the preparation of the Local Plan for the Borough. The current legislative requirements for the LDS are to only include the development plan documents (DPD) which are subject to independent examination which for Bromley will be the Local Plan. Supplementary Planning Documents are therefore not included in the formal LDS. It does however provide an indicative timescale for the preparation of a local Community Infrastructure Levy.

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2. **RECOMMENDATION(S)**

Development Control Committee

2.1 Members are asked to recommend to the Executive that the revised Local Development Scheme as set out in Appendix 1 be approved as the formal management document for the production of the Bromley Local Plan.

Executive

2.2 Members are asked to agree the Local Development Scheme as set out in Appendix 1.

## Corporate Policy

1. Policy Status: Not Applicable
  2. BBB Priority: Children and Young People Excellent Council Quality Environment Safer Bromley Supporting Independence Vibrant, Thriving Town Centres:
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## Financial

1. Cost of proposal: Estimated Cost Up to £92k
  2. Ongoing costs: Non-Recurring Cost
  3. Budget head/performance centre: Local Plan Implementation budget and carry forward balance
  4. Total current budget for this head: £32k and £60k
  5. Source of funding: Existing revenue budget for 2015/16 and carry forward sum
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## Staff

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours:
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## Legal

1. Legal Requirement: Statutory Requirement Non-Statutory - Government Guidance None: Further Details
  2. Call-in: Applicable Not Applicable: Further Details
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough-wide
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

- 3.1 The Council is required to publish an up to date Local Development Scheme (LDS), setting out the timescale for the preparation of local development plan documents (DPDs). There is no longer a requirement for the LDS to be submitted to Secretary of State. The last LDS was agreed by the Council in Autumn 2013.
- 3.2 The 2013 LDS showed a move to preparing a Local Plan in line with the National Planning Policy Framework (2012) rather than continue with a Local Development Framework which had already seen the Bromley Town Centre Area Action Plan, and Supplementary Planning Documents (SPDs) for Planning Obligations and Affordable Housing adopted. The NPPF made substantial changes including the introduction of 'Local Plans', and has been followed by further reforms including, for example, the greater range of permitted development rights, and the National Planning Policy Guidance (2014). Further changes are expected following consultation last Autumn.
- 3.3 The Council published its Local Plan Draft Policies and Designations document early in 2014 which included a 'Call for Sites'. Sites continued to be received for consideration throughout 2014. Also early in "2014 the Mayor published his draft Further Alterations to the London Plan (FALP). These factors combined with the continued planning reforms and further evidence gathering combined to contribute to the delay in the preparation of the Local Plan. Significant work was involved in responding to the FALP, including making representations at the Examination in Public in September 2014.
- 3.4 During 2014 the Local Development Framework Advisory Panel has met regularly receiving reports updating it of progress. This includes work following up the Council's decision to encouraging economic growth in Bromley Town Centre, the Cray Corridor and the Biggin Hill SOLDC, with the Planning for Growth Work, exploring the potential for employment and business growth in the Cray Business Corridor and Biggin Hill Strategic Outer London Development Centre, as well as the work with the South East London Housing Partnership to understand the Strategic Housing Market, revisiting employment and housing figures in light of the revised forecasts and targets in the FALP.
- 3.5 The new LDS, (appendix 1) reflects the recent major Government planning reforms, the need to be in conformity with the London Plan, including the Further Alterations to the London Plan which were published and subject to Examination in 2014 when adopted later this month, the Council's resources and lessons from other authorities and Inspectors' reports regarding timescales, and the increased burden on authorities to demonstrate plans are based on objective and up to date evidence to be found 'sound'.
- 3.6 The LDS outlines the further evidence required to ensure the Local Plan is 'sound', the risks and measures to mitigate these. This includes work already underway to provide an up to date open space audit, further detail of constraints and capacity at Biggin Hill SOLDC, viability work to support the Local Plan and the introduction of a Bromley Community Infrastructure Levy, and an updated Flood Risk Assessment.
- 3.7 The draft LDS also shows the timescale for the preparation of a Bromley Community Infrastructure Levy (CIL). The third set of CIL regulations increased the consultation period for each stage of the preparation of the charging schedule for CIL, and again increased the burden for evidence of viability and the proposed infrastructure to be funded based on an up to date development plan. On this basis the LDS shows the CIL alongside the Local Plan, however it is expected that the CIL Examination will closely follow the Local Plan Examination.
- 3.8 The Local Plan will include the vision and objectives for the Borough, planning policies and site allocations. The number of supplementary planning documents will be kept to a minimum but

will include, a revised S106 supplementary planning document (SPD) alongside the introduction of a local Community Infrastructure Levy.

- 3.9 Viability work to support the Local Plan and the introduction of a local Community Infrastructure Levy is due to start this month which will inform the Council with regard to the type of development which could be subject to a Local CIL. The Council estimates it will collect in the region of £1.37m for 2014/15 from the Mayoral CIL. On a similar scale of development it is anticipated that Bromley's CIL could contribute between £1.3m and £3.8m per annum.
- 3.10 The Community Infrastructure Levy Regulations 2010 (as amended) restrict the pooling of S106 contributions to no more than five contributions for any specific type of infrastructure that could be funded from CIL. Affordable Housing cannot be funded from CIL and therefore contributions can continue to be funded.
- 3.11 The changes brought in from April 6<sup>th</sup> 2015 to S106 obligations due to the CIL regulations are included in a separate report on the agenda of DCC.
- 3.11 The work is led by the Planning Strategy team which provides the majority of the resources. However, consultants are required to undertake specialist work and this is included in the Local Plan budget. The Council is responsible for paying the cost of the Examinations of the Local Plan and the Community Infrastructure Levy Charging Schedule which is estimated to be in the region of £40-60k and includes the Inspector and the Programme Officer's costs.

#### **4. POLICY IMPLICATIONS**

- 4.1 The Local Plan when 'Adopted' together with the London Plan, will form the Development Plan for the Borough and will set out the policies against which to consider planning applications. The LDS is a procedural document regarding the preparation of the Local Plan. However, the Local Plan is one of the key strategic documents guiding the development of the Borough and helping deliver the Building a Better Bromley priorities.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 The cost of public consultation and related printing and publishing of any Local Plan document will be met from the Local Plan Implementation budget of £32k within Planning Services.
- 5.2 The cost of the examination of the plan in public, any further evidence work required during 2015 and the examination of the CIL charging schedule is expected to cost up to £60k. The Executive agreed to carry forward £60k in June 2014 for the preparation of the Local Plan. This was intended to fund the examination of the plan in public and associated work which are now due to take place later than expected - potentially not until 2016/17. A request for approval to carry forward this sum will be submitted to the Executive in June 2015.
- 5.3 It should be noted that the precise timing of the examination in public is determined by the Planning Inspectorate and is therefore outside of the Council's control.
- 5.4 The timetable included in Appendix 1 indicates that the Bromley CIL charging schedule should be effective from Summer 2016. With a similar scale of development as in 2014/15, it is anticipated that between £1.3m and £3.8m per annum could be generated by Bromley's CIL towards infrastructure.
- 5.5 The amended CIL Regulations 2010, effective from 6 April 2015, will restrict the scale of S106 contributions to five per specific infrastructure project in the interim period until a local CIL scheme is introduced.

5.6 In the longer term, once the local CIL is in place, S106 contributions will mainly be for affordable housing, unless specifically negotiated.

## 6. LEGAL IMPLICATIONS

6.1 The Council has a duty to publish an up to date Local Development Scheme.

<b>Non-Applicable Sections:</b>	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Report DRR 13/103 Local Development Scheme Version 5 2013-2015 12 September 2013