

CABINET

3 FEBRUARY 2010

REVISED LOCAL DEVELOPMENT SCHEME 2009

REPORT OF HEAD OF STRATEGIC PLANNING

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RECENT REFERENCES:

[CAB 1925 – Minutes of Cabinet \(LDF\) Committee 20 October 2009 - Cabinet 12 November 2009](#)

[CAB 1905\(LDF\) – Revised Local Development Scheme 2009 – Cabinet \(LDF\) Committee 20 October 2009](#)

[CAB 1802\(LDF\) - Local Development Scheme 2009 – Cabinet \(LDF\) Committee 6 March 2009](#)

[CAB 1389 - 'Local Development Scheme 2007', Cabinet 17 January 2007](#)

[CAB1217 – 'Winchester District Local Development Scheme \(Revised\)'- Cabinet 1 March 2006](#)

EXECUTIVE SUMMARY:

The Council is required to produce a Local Development Scheme (LDS) that provides a programme for the production of the Council's Local Development Framework (LDF) for the next three years. The existing LDS came into effect on 28 August 2007.

A revised LDS was formally submitted to GOSE on 13 November 2009 following approval by this Committee on 12 November 2009. The Council subsequently received a formal response from GOSE on behalf of the Secretary of State agreeing to the revised Scheme on 15 December 2009.

This report therefore recommends that Cabinet formally resolves to 'bring into effect' the revised LDS as required by the The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, from the date of this meeting.

RECOMMENDATION:

That the Revised Winchester District Local Development Scheme, attached as Appendix A to report [CAB 1905\(LDF\)](#), shall have effect from 3 February 2010.

CABINET3 FEBRUARY 2010REVISED LOCAL DEVELOPMENT SCHEME 2009DETAIL:1. Introduction

1.1 Under the terms of the Planning and Compulsory Purchase Act 2004, planning authorities are required to produce a Local Development Scheme (LDS), illustrating the programme for the development of their Local Development Framework (LDF) over the next three years. The LDS is a three-year rolling programme and is updated as necessary

1.2 The revised LDS covering the period October 2009 – October 2012 was considered by the Cabinet (LDF) Committee on 20 October 2009, which recommended to Cabinet that the document be approved for submission to GOSE. The document was submitted to GOSE on 13 November 2009 following approval by Cabinet on 12 November. The document which was approved by Cabinet was appended as Appendix A to [CAB 1905\(LDF\)](#).

1.3 The legislation provides GOSE with a four week period in which to consider the details of the LDS and to resolve any minor queries, prior to it being 'brought into effect' by the Planning Authority if no substantive issues are raised.

2. Approval of the LDS

2.1 GOSE on behalf of the Secretary of State agreed the changes set out in the revised LDS in a letter to the Council dated 15 December 2009, which is appended to this report as Appendix A. The letter confirmed that the Secretary of State would not be issuing a direction under the relevant Regulations.

2.2 It is now necessary to formally 'bring into effect' the LDS as required by Regulation 11 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. This requires a resolution that the Scheme shall have effect, specifying the date from which the Scheme is to have effect.

2.3 It is therefore recommended that Cabinet resolve to bring the LDS into effect, with effect from the date of this meeting.

OTHER CONSIDERATIONS:

3. SUSTAINABLE COMMUNITY STRATEGY AND CORPORATE BUSINESS PLAN (RELEVANCE TO):

- 3.1 As part of progressing effective spatial planning of the District, the LDS is relevant to many of the stated aims of the Council's Community Strategy. This is to be achieved by ensuring that the programmed development plan documents are prepared and delivered to the agreed timescales to enable the implementation of the actions to deliver the outcomes of the Strategy.

4. RESOURCE IMPLICATIONS:

- 4.1 The key resources for undertaking work on the LDF have been approved as part of the budget process. However, the nature and scale of the LDF will require shared resources in terms of utilising skills and expertise from other divisions within the Council, this is now even more critical given the emphasis on delivery and viability of development schemes.
- 4.2 Meetings of the Cabinet (LDF) Committee can be serviced from within existing resources in the Democratic Services Division.

5. RISK MANAGEMENT ISSUES

- 5.1 An up-to date Local Development Scheme is a fundamental element of the LDF and is required as part of the legal compliance tests that all DPDs will have to comply with when being considered by Inspectors under the examination procedure. Failure to have an up-to-date LDS would prevent a DPD from meeting the legal compliance test which an Inspector would undertake.

BACKGROUND DOCUMENTS:

None.

APPENDICES:

Appendix A : GOSE sign off letter 15 December 2009



GOVERNMENT OFFICE
FOR THE SOUTH EAST

Representing Central Government in the South East

Steve Opacic
Head of Strategic Planning
Winchester City Council
City Offices
Colebrook Street
Winchester
Hampshire
SO23 9 LJ

15 December 2009

Dear Steve

Revision to Winchester City Council Local Development Scheme

I write in reference to your letter of 13 November 2009 submitting a revision, which your council propose to bring into effect, of the above named local development scheme.

I write to inform you that the Secretary of State reluctantly agrees to the changes in the LDS and hereby notifies your council that he does not intend to make a direction under section 15(4) of the Planning and Compulsory Purchase Act 2004 in relation to this revision.

We note that the timings are now consistent with the revised Eastleigh LDS and reflect the issues that affect the two SDAs. We would stress that we would expect this new timeframe to be deliverable, and if there is any scope to accelerate the pre-submission stages GOSE would be supportive.

Yours sincerely

Signed by the authority of the Secretary of State

Andy Welberry