

9th January 2013

**REPORT OF THE PORTFOLIO HOLDER FOR
ECONOMIC DEVELOPMENT AND ENTERPRISE****TAMWORTH LOCAL DEVELOPMENT SCHEME****EXEMPT INFORMATION****PURPOSE**

To seek approval for a revised Local Development Scheme for publication. This is a public statement of the programme for the production of local development documents over the next three years, under the Planning and Compulsory Purchase Act 2004.

RECOMMENDATIONS

- 1. Members approve the amended Local Development Scheme for publication on the Councils website**

EXECUTIVE SUMMARY

Tamworth Borough Council is legally required to produce a project plan, known as a 'Local Development Scheme', setting out how the Local Development Framework (LDF) will be produced and a timetable for production. The purpose is to inform the public and stakeholders, and promote effective management of the process. An important element of the Scheme is the timetable indicating the key milestones in the preparation of each document against which their production can be monitored.

The current Local Development Scheme (LDS) came into effect in February 2012 and gave a date for the submission of Tamworth Local Plan as July / August and the Examination taking place between September and November. A decision was taken to delay submission to allow the updating of the Local Plan to reflect the publication of the National Planning Policy Framework and the conclusion of joint working with neighbouring Authorities. This was approved by Council for publication and consultation in May.

The Local Plan was submitted to the Planning Inspectorate at the end of November and we have been notified that an Inspector has been appointed to examine the Plan. We have not had confirmation by the Inspector for when the public sessions for the examination will take place, but currently we expect this to start in late February or March. The Planning Inspectorate have suggested to us that we update our LDS to reflect the actual date of submission and likely examination because the Inspector when examining the Local Plan has to have regard to its conformity with the LDS. A proposed revised Local Development Scheme is attached as Appendix 1 to this report to reflect this.

The proposed revised LDS proposes one over-arching planning document, The Local Plan and further Supplementary Planning Documents (covering The Town Centre, Place

Making/Design and Planning Obligations)to expand upon, and provide further clarity to policies and proposals set out within Local Plan as well as a review of the Council's Statement of Community Involvement.

Following a review of the Planning Regulations (Local Planning) 2012, it has been found that the proposed Wilnecote Regeneration Corridor SPD would not be compliant with the 2012 Regulations. The 2012 Regulations do not allow Supplementary Planning Documents to have policy which will make statements on the development and use of land; allocate sites; make development management and site allocation policies to guide the determination of applications; or contain policies for an area defined as being one of significant change or special conservation. If SPDs contain such policy then they would be at risk from a legal challenge, this is because they would be dealing with significant and fundamental planning issues which should be fully consulted on, be considered under the duty to co-operate and would require a full Sustainability Appraisal. SPDs can only deal with environmental, social, design and economic objectives which are relevant for the attainment of development and use of land.

Because of this review it is the intention to remove the Wilnecote Regeneration Corridor SPD from the LDS. The Local Plan policy SP7 and allocations WRC1, WRC2 and WRC3 will remain and once adopted will guide the land uses best suited for the regeneration of the regeneration corridor. Design aspects of the WRC SPD can be picked up in the Place Making SPD.

Through this review it has also become apparent that the descriptive text, but not intended policy and purpose of the Town Centre SPD would also not be compliant with the regulations. Therefore, it is necessary to make changes to the description of the Town Centre SPD.

Alternative options to producing a The Wilnecote Regeneration Corridor SPD are to: produce a Local Plan (Area Action Plan) for Wilnecote, or a Master Plan for the area. A Local Plan would be both costly and time consuming for such a small area in the borough, a master plan although not forming part of the statutory development plan would be material consideration in planning applications and could help to steer development in the correct way. The still proposed Place Making/Design SPD will guide the design of new development in The Wilnecote Regeneration Corridor area. A The Wilnecote Regeneration Corridor section could be included in this SPD if there are particular design features to this area.

RESOURCE IMPLICATIONS

There are no financial implications arising from this report. A budget already exists for the production of the Core Strategy/Local Plan.

LEGAL/RISK IMPLICATIONS BACKGROUND

The proposed amendments to the LDS will ensure compliance with The Town and Country Planning (Local Planning) (England) Regulations 2012, Part 3.

SUSTAINABILITY IMPLICATIONS

There are no direct sustainability implications arising from this report. The policy documents which will be prepared are subject to separate Sustainability Appraisals.

BACKGROUND INFORMATION

N/A

REPORT AUTHOR

LIST OF BACKGROUND PAPERS

N/A

APPENDICES

Appendix 1 - The Revised November 2012 Local Development Scheme

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