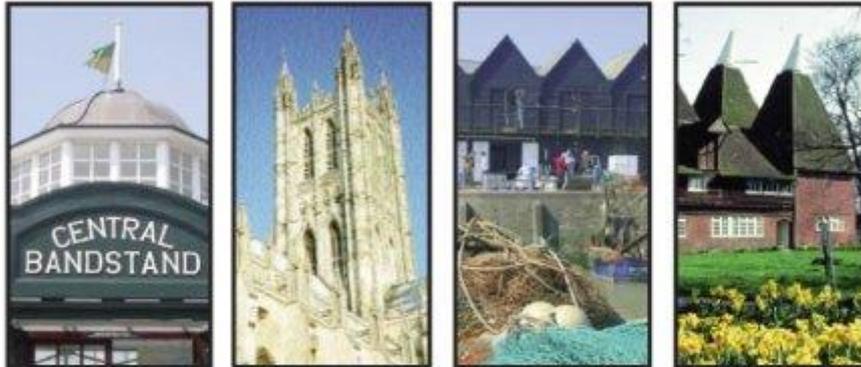


Canterbury City Council



Canterbury District Local Development Scheme

September 2014



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Part 1 Background

1.0 Introduction

The Planning and Compulsory Purchase Act 2004 (as amended¹) requires the Council to prepare and maintain a local development scheme.

The main role of the Local Development Scheme is to set out the existing development plan position; and the timetable for other documents it is preparing. It explains:

- a) The statutory planning documents (called development plan documents) that the Council intends to prepare or review;
- b) The subject matter and the area these documents will cover;
- c) The timetable for the preparation of the document.

It also provides information on other non-statutory documents the Council intends to prepare.

2.0 Changes to the Planning System

There have been numerous changes to the planning system at the national level over the last few years, including:

- a) Changes to the legislation (e.g. through the Localism Act and new Local Development Regulations);
- b) Replacement of most of the national Planning Policy Guidance Notes with a National Planning Policy Framework and National Planning Practice Guidance;
- c) Revocation of the South East Plan in March 2013;
- d) Introducing the ability for neighbourhood forums to prepare neighbourhood plans;
- e) Removing the requirement of local planning authorities to submit the LDS to the Secretary of State.

The Council has amended the LDS to take account of these changes.

¹ As amended by the Planning Act 2008 and the Localism Act 2011

3.0 The Development Plan

3.1 The Development Plan currently consists of

- a) "Saved" Canterbury District Local Plan (2006) policies²;
- b) The Herne Bay Area Action Plan; and
- c) A Proposals Map which is prepared and maintained to accompany Development Plan Documents

3.2 Kent County Council is responsible for Minerals Local Plan and the Waste Local Plan and associated "saved" policies.

4.0 Types of Planning Documents

4.1 There are six different types of planning documents

- Development plan documents
- Neighbourhood plans
- Supplementary planning document (SPDs)
- A Community Infrastructure Levy Charging Schedule
- A Statement of Community Involvement
- An Annual Monitoring Report

Development Plan Documents

4.2 Development Plan Documents will represent the 'Development Plan' for the area. Canterbury City Council already has an adopted Development Plan Document: the **Herne Bay Area Action Plan**, which sets out a strategy for the future of Herne Bay town centre. It is also preparing a new **Canterbury District Local Plan**. This is set out in more detail in Part 2.

Neighbourhood Plans

4.3 This is a new type of planning document introduced by the Government through the Localism Act 2011 and supporting regulations. They allow a community (often a Parish Council) to prepare a formal statutory plan for its area, provided the plan is in general conformity with strategic policies in a development plan document for the

² Under transitional arrangements from the pre-Planning and Compulsory Purchase Act system, a large proportion of the policies in the 2006 Canterbury District Local Plan were 'saved' as part of the Development Plan, with the agreement of the Secretary of State.

area. Neighbourhood planning will give local communities greater control over the planning of their areas and the freedom to bring forward proposals for more development than is set out in the 'Development Plan' for their area. The plan is subject to independent examination and referendum. In principle, the Council supports the preparation of Neighbourhood Plans³, subject to their being in conformity with the Local Plan and any other relevant DPDs/SPDs. However, the Council will not rely on Neighbourhood Plans for the purposes of meeting strategic development requirements.

Supplementary Planning Documents (SPDs)⁴

- 4.4 SPDs provide guidance to supplement the policies in the Development Plan. They do not form part of the statutory development plan, but do form part of the planning framework for the area. It is not a requirement that SPDs are listed in this document, enabling Councils to preparing them as circumstances change. SPDs are not subject to examination, but are subject to consultation by the Council before they are adopted. In its draft Local Plan, the Council has committed to preparing a number of SPDs. These will be taken forward when the Local Plan has been examined, and no timetable is yet set for their preparation.

Community Infrastructure Levy (CIL) Charging Schedule

- 4.5 The Community Infrastructure Levy is a charge that local planning authorities may choose to levy on new development to fund infrastructure needed to support growth. It is intended to prepare a CIL Charging Schedule once the draft Local Plan has been considered by an Inspector. The draft Local Plan sets out the proposed balance between the use of s106 agreements and the CIL.

Statement of Community Involvement

- 4.6 This sets out the standards the Council will achieve in engaging the community and other stakeholders in the preparation, alteration and continuing review of development plan documents and in development control decisions. The document also identifies how Canterbury City Council will achieve these standards.

³ Neighbourhood Plans are formal plans produced under Planning Regulations, but the Council recognises the value of informal local documents, such as Conservation Area Appraisals, Village Design Statements and Parish Plans.

⁴ The NPPF indicates that development plan documents other than a local plan should only be used where clearly justified, and Supplementary planning documents should only be necessary where their production can help to bring forward sustainable development at an accelerated rate, and must not be used to add to the financial burdens on development.

Annual Monitoring Report (AMR)

- 4.7 The yearly annual monitoring report records the progress being made on preparing DPDs and SPDs and recommends whether any changes need to be made to the Local Development Scheme. It will also report on monitoring of a selection of key policies.

Part 2 Proposed development documents

5.0 New planning documents

5.1 New planning documents that Council is preparing or proposed to prepare are listed below:

Development Plan Documents:

- Canterbury District Council Local Plan (2011 – 2031)
- Gypsy & Traveller sites DPD (to 2027)

Supplementary Planning Documents:

- Landscape Character and Biodiversity Appraisal
- Sustainable Construction and Renewable Energy
- Strategic site Development Briefs
- Strategic Access, Mitigation & Monitoring Plan

Community Infrastructure Levy Document:

- Community Infrastructure Levy Charging Schedule

5.2 Further to the preparation of a new Local Plan (2011 – 2031) the Proposals Map will be revised at the same time, where it involves changes to site allocations or geographical designations which need to be illustrated spatially.

6.0 Canterbury District Local Plan and Gypsy & Traveller sites DPD

Canterbury District Local Plan (to 2031)

6.1 The National Planning Policy Framework indicates that Councils should produce a single Local Plan for its area. This will be similar to an 'old style' local plan. The Government, however, continues to frequently adjust the process for preparing and reviewing planning documents. As a result of the Localism Act 2011 and changes to the relevant regulations⁵, the remaining stages in preparing the new Local Plan are as follows:

⁵ Town and Country Planning (Local Planning) (England) Regulations April 2012

- a) Submit the Plan and other 'submission documents' to the Planning Inspectorate and make them available for inspection (Regulation 22);
- b) Independent Examination (Regulation 24);
- c) Receiving and publishing the Inspector's report (Regulation 25); and
- d) Amend the draft Plan if appropriate and adopt it (Regulation 26).

6.2 As a priority, work has been undertaken to identify locations for strategic development needs; such as housing, employment land, retail, leisure, community, public service provision and transport development. This is supported by both a Development Requirements study and various technical assessments.

6.3 The Local Plan will also set out the strategic housing requirement for the District from 2011 to 2031 in line with a common framework prepared by the Housing Forecasts Group for Kent authorities, and which sets out an agreed housing methodology for Local Development Frameworks.

6.4 The table at Appendix 1 plots the main stages and in the Local Plan preparation and anticipated dates. The timetable following submission of the document to the Secretary of State is indicative only and will ultimately be for the inspector to determine. The length of Examination and reporting will depend on the number of representations received and the resources available to the Planning Inspectorate at the time.

Gypsy & Traveller sites DPD (to 2027)

6.5 The Council has also, in conjunction with the other East Kent local planning authorities, undertaken a review of its Gypsy & Traveller Accommodation Assessment. It is not the intention to delay the draft Local Plan to allow full consideration of the results of the GTAA, and carry out the other work necessary to progress the draft DPD. It is considered that the work priority must be to seek to achieve the adoption of a "sound" Local Plan as soon as possible.

6.6 It is therefore proposed that the preparation of policy guidance in relation to the provision of Gypsy and Traveller sites will run behind the Local Plan programme as soon as possible. The Council is making resources available to carry out some of the

early stages of the programme, including a “call for sites” and engagement with the local Gypsy and Traveller community to ascertain more detail about accommodation needs. A timetable for this work is set out at Appendix 2.

7.0 Community Infrastructure Levy Charging Schedule

7.1 To date, Canterbury City Council has used Section 106 Agreements negotiated with developers to obtain funding necessary to deliver on-site infrastructure. Although these will still play a significant part in delivering the strategic sites in the new Local Plan, it will be complemented by a CIL charging schedule which sets out charges to be levied on development. This is subject to examination and will closely follow the new Canterbury District Local Plan. No timetable has yet been set for the preparation of a CIL Charging Schedule.

7.2 The process for preparing a CIL Schedule is similar to that for development plan documents. The process is set out in the Community Infrastructure Levy Regulations 2010 (as amended), but is broadly as follows:

- a) Informal public consultation on the proposed Levy rates in a draft preliminary version of the charging schedule (Regulation 15)
- b) Formal public consultation on a draft schedule for a period of at least 4 weeks during which representations can be made (Regulations 16 and 17);
- c) Submission to, and examination in public of the draft charging schedule by an independent person appointed by the charging authority (Regulations 19 and 20);
- d) Publication of the examiner’s recommendations.

7.3 During the consultation on the Local Plan Publication Draft, the City Council set out its proposals in relation to the balance between CIL and Section 106 Agreements in new development schemes.

8.0 Supplementary Planning Documents

8.1 The Council is currently preparing a Supplementary Planning Document (SPD) titled: Canterbury Landscape and Biodiversity Appraisal.

8.2 The Council is also preparing a Green Infrastructure Strategy in parallel with the Local Plan and it is the intention to adopt this as an SPD.

8.3 A further SPD is proposed in the draft Local Plan in relation to Sustainable Construction and Renewable Energy. Development Briefs associated with Strategic Development Sites may also be adopted as SPD.

9.0 Strategic Environmental Assessment/Sustainability Assessment

9.1 The Council is required to assess and appraise its development plan documents to comply with Strategic Environmental Assessment (SEA)/Sustainability Assessment (SA)/Habitat Regulations (HRA) requirements. Carrying out an SEA/SA/HRA as required will ensure that social, economic and environmental considerations are fully taken into account at every stage of Development Plan Document preparation. The Planning Act 2008 removed the requirement for SPDs to be subject to sustainability appraisal. It may however, be required if the SPD is likely to have significant social, economic or environmental impacts that were not adequately considered in the SA of the relevant development plan policy.

9.2 The Strategic Environmental Assessment (SEA)/Sustainability Assessment carry their own consultation requirements. The Council will consult on the SEA/SA/HRA and the reports will be submitted to the Secretary of State alongside the Submission version of the draft Local Plan.

10.0 Monitoring progress

10.1 Progression of the preparation of the Local Plan and CIL Schedule will be monitored by the Planning Policy Team in relation to the programme set out in this LDS.

10.2 The Annual Monitoring Report is the stage at which the progress on implementing the Local Plan can be reported. Progress on meeting the targets and milestones in the Local Development Scheme will be assessed and made publicly available.

10.2 The Annual Monitoring Report is also an appropriate stage at which to review the existing evidence base and establish whether additional background documents will be required over the forthcoming year.

11.0 Risk Assessment

11.1 There are a number of areas which might present risks to the delivery of the Local Plan and CIL Schedule, and these are set out below, together with proposed risk reduction measures.

Key risks	Likelihood	Impact	Risk Reduction Measures
Staffing changes, losses of staff due to reducing local government finances.	Med	Med	<p>Involve the whole Team as far as possible in the whole Local Plan programme.</p> <p>Look to alternative sources of help e.g. secondments or student planners.</p> <p>Use consultants particularly for specialist work, dependent on available funding.</p>
Budgetary constraints - Insufficient funding	Med	Med	<p>Availability of financial resources has an impact on time taken to produce the Core Strategy/Local Plan. Outsourcing of pieces of work is essential to ensure that the Team is available for key elements of plan preparation.</p> <p>Ensure examinations and associated costs continue to be considered within the Council's budgeting process.</p> <p>Look for ways to add value to work, for example by joint commissioning with neighbouring districts</p>
Lack of administrative capacity at Government Departments/Agencies	Low	Med	<p>The capacity of Government Departments/Agencies should not be a significant risk to Local Plan preparation. However, in any event, the capacity of Government Departments should not determine the priorities for Local Plan preparation.</p>
ICT failure to meet BVPI157 & Local Development Regulations	Low	Med	<p>The Council's ICT Department have confirmed that the necessary ICT infrastructure and capacity exists to meet the various requirements, and properly support the development of the Local Plan. The Council also uses 'Objective', an on-line system that will assist with creating documents, publishing and consultation.</p>
Risk to timetable due to the Duty to Cooperate	Low	High	<p>Exchange information on timetables with neighbouring districts.</p> <p>Liase with key officers in neighbouring districts to get early alert to fundamental policy changes.</p>

<p>New policy guidance being published part way through plan preparation.</p> <p>Delay to Local Plan</p>	<p>High</p>	<p>High</p>	<p>Monitor High Level Policy Change</p> <p>The Council, however, considers that the need to have a plan in place is so critical that plan-making needs to proceed irrespective of these risks. However, if necessary, the Council will revise the LDS to amend work programme.</p> <p>Seek advice from the Planning Inspectorate as appropriate.</p>
<p>Documents being found unsound / subject to legal challenge</p>	<p>Low</p>	<p>High</p>	<p>Ensure that each stage of Local Plan preparation meets the relevant legal requirements.</p> <p>Use the soundness self-assessment tool kit.</p> <p>Ensure records are kept of the process.</p> <p>Ensure evidence base is robust</p>

12.0 Reporting Structures

12.1 The City Council already has well-established reporting structures for developing the Local Plan. There is a core group of key officers, which comprises officers from various Council Departments, usually with a direct interest in the policy content of the documents.

12.2 Member oversight of the Local Plan process is undertaken through the Local Plan Steering Group, which has senior Members involved to ensure an authoritative member view is fed into the process in a continuous way. This Steering Group reports directly to the Council's Executive (Cabinet).

12.3 Two senior members of the Executive (the Leader and Deputy Leader of the Council) have Portfolio Holder responsibility for major policy and projects, including the Local Plan, Community Strategy and Corporate Plan.

13.0 Resources

13.1 The responsibility for the preparation of the Local Plan lies primarily with the Planning Policy Manager, on behalf of the Head of Planning and Regeneration. In addition to the Planning Policy Manager, the Planning Policy Team comprises a Principal Planning Officer, one Planning Officer, a part-time Planning Officer (0.7fte approx.); a GIS/Cartographic Technician (0.8fte) and a Support Officer (0.6fte). There is

currently a vacant 2-year temporary post being advertised for a Planning Officer (through the period of Local Plan preparation).

- 13.2 Other officers in Planning and Regeneration will make a significant contribution to Local Plan preparation; notably in Development Management, Transport & Environment, and Business & Regeneration. Significant additional resources will also be required from other Council Departments; in particular Corporate Policy, Housing Strategy, Environmental Health, and Engineers (Coastal and Drainage).
- 13.3 It is recognised that the Local Plan programme will be challenging, especially given financial constraints. However, the Council has for the past few years operated a base-budget reserve fund to cover the cost of Local Plan preparation and production. This is added to on an annual basis, and brought forward as needed to meet the costs of development plan preparation. This evens out the potential financial impact of Local Plan production, which fluctuates significantly through the process.
- 13.4 The SEA/SA/HRA process forms an integral part of the development plan preparation process and will have significant internal resource implications. It is also considered necessary to make use of external consultants to validate the SEA/SA/HRA work and in some cases to carry out appraisal work independently. Future resource needs will be monitored and reviewed as necessary as part of the Annual Monitoring Report.

Part 3 Future preparation of planning documents

14.0 Priorities and timetables

14.1 This proposed programme is subject to changes in Government policy, changes in local circumstances; and other factors that might give rise to changed policy priorities. Legislation, policy and guidance are changing quickly and therefore it is possibly that further updates to the programme may need to be made in response to these changes.

14.2 In addition, this programme and numerous other important policy areas, will be the subject of ongoing monitoring through Annual Monitoring Reports. If the Annual Monitoring Report or other factors require an alteration to the work programme, amendments to the Local Development Scheme will be approved by the Council's Local Plan Steering Group and made available on the website.

Appendix 1

Local Plan - Summary Table

<i>Title</i>	Local Plan
<i>Topic</i>	The document will provide the strategic vision for the future development of Canterbury district until 2031 and allocate sites to meet identified development requirements. It will also set out a range of topic-based policies against which all planning applications will be assessed.
<i>Geographical area of coverage</i>	The district of Canterbury City Council
<i>Will it be a Development Plan document?</i>	Yes
<i>Chain of conformity</i>	The Local Plan will need to be in general conformity with the National Planning Policy Framework, and other relevant national guidance. It will also have regard to the objectives of the Council's Corporate Plan and other strategies of the Council.
<i>Will it be produced jointly with other authorities and will this involve a joint committee? If so, then with whom?</i>	No. However, the Council has a duty to cooperate with neighbouring districts.
<i>Timetable & Milestones</i> Reg 19, 20 – Consultation on Submission Draft Reg 22 - Formal Submission Reg 23, 24 – Examination } Reg 25 - Inspectors report } Reg 26 - Adopt DPD }	June 2014 Autumn 2014 <i>The stages after Submission will be determined by the Examining Inspector and the Examination programme.</i>
<i>Review of Local Plan</i>	The Local Plan will be monitored annually and will then be the subject of a review if the monitoring highlights such a need. The document will be formally reviewed at least once every four years, unless circumstances dictate otherwise.

<i>Issues to be covered</i>	<p>The Local Plan will address the strategic vision and direction for the District and set out the planning framework for the area. It will identify sites for development; necessary supporting social/physical infrastructure and those areas of the District that should be protected from development in the longer term. It needs to be prepared in cooperation with neighbouring local authorities to ensure that cross-boundary strategic issues are addressed and take account of other relevant strategies.</p>
<i>Resources</i>	<p>Primarily this document will be developed by existing staff, in conjunction with other Council Departments and other public bodies.</p> <p>Some additional research may be needed to support the robust evidence base and this may need to be funded through the Council's corporate budgets as well as existing development plan budgets (and overseen by Planning Policy staff).</p>
<i>Consultations</i>	<p>It is the Council's intention to continue to consult across a wide range of stakeholders.</p> <p>Consultation will be carried out in line with the adopted Statement of Community Involvement (SCI) (as amended by changes to relevant regulations).</p>

Canterbury District LDS September 2014

Local Plan	2012												2013												2014												2015													
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D		
	Engagement with statutory stakeholders; utility providers; neighbouring planning authorities and KCC																																																	
Regulation 18 Preferred Options Consultation																																																		
Regulation 19 Proposed Submission Draft publication																																																		
Regulation 22 Formal Submission																																																		
Regulation 24 Examination *																																																		
Regulation 25 Receive/Publish Inspector's draft report *																																																		
Regulation 26 Adoption of Local Plan *																																																		

* These stages will be determined by the Examination Inspector and the Examination programme. The dates set out above are estimates only.

Appendix 2

Gypsy & Traveller Sites DPD - Summary Table

<i>Title</i>	Gypsy & Traveller Sites DPD
<i>Topic</i>	The document will provide the framework for the provision of sites for Gypsy and Traveller accommodation
<i>Geographical area of coverage</i>	The district of Canterbury City Council
<i>Will it be a Development Plan document?</i>	Yes
<i>Chain of conformity</i>	The DPD will need to be in general conformity with the National Planning Policy Framework, and other relevant national guidance. It will also have regard to the objectives of the Council's Corporate Plan and other strategies of the Council, where relevant.
<i>Will it be produced jointly with other authorities and will this involve a joint committee? If so, then with whom?</i>	<p>No, although there is an evidence base shared with neighbouring authorities in East Kent. The Council will continue to engage with neighbouring districts as preparation of the DPD progresses.</p> <p>The East Kent authorities are currently working on the basis that each Council will seek to meet its own accommodation needs.</p>
<i>Timetable & Milestones</i>	<p>"Call for sites" and early engagement with local Gypsy & Traveller community (Reg 18) Nov 2014 – Jan 2015</p> <p>SA scoping report work (Reg 18) Jan-Mar 2015</p> <p>Reg 18 – Options/Preferred Options consultation and engagement May-July 2015</p> <p>Reg 19, 20 – Consultation on Submission/Publication Draft February 2016</p> <p>Reg 22 - Submission May 2016</p> <p>Reg 23, 24 – Examination June 2016</p> <p>Reg 25 - Inspectors report October 2016</p> <p>Reg 26 - Adopt DPD November 2016</p>
<i>Review of DPD</i>	The DPD will be monitored annually and will then be the subject of a review if the monitoring highlights such a need. The

	document will be formally reviewed at least once every five years, unless circumstances dictate otherwise.
<i>Issues to be covered</i>	The DPD will identify the need for Gypsy and Traveller accommodation with the district, and will make the necessary provision for the period up to 2027.
<i>Resources</i>	<p>Primarily this document will be developed by existing staff, in conjunction with other Council Departments and other public bodies. However, initial tasks may be undertaken by consultants on behalf of the Council, as this coincides with the Examination of the Council's draft Local Plan.</p> <p>Some additional research may be needed to support the robust evidence base and this may need to be funded through the Council's corporate budgets as well as existing development plan budgets (and overseen by Planning Policy staff).</p>
<i>Consultations</i>	<p>It is the Council's intention to continue to consult across a range of relevant stakeholders, with particular emphasis on meaningful engagement with the local Gypsy and Traveller communities.</p> <p>Consultation will be carried out in line with the adopted Statement of Community Involvement (SCI) (as amended by changes to relevant regulations).</p>

Canterbury District LDS September 2014

Gypsy & Traveller Sites DPD	2014												2015												2016											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
	"Call for sites" and engagement with local Gypsy & Traveller community																																			
SA scoping report work																																				
Regulation 18 Options/Preferred Options Consultation																																				
Regulation 19 Proposed Submission Draft publication																																				
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