



CHELTENHAM
BOROUGH COUNCIL

Local Development Scheme

February 2015

**The preparation timetable for
Development Plan Documents
in Cheltenham Borough**

Contents

- 1. Introduction**
- 2. Context**
- 3. The Documents Process and timetable**
- 4. Project Management and Resources**

1. Introduction

- 1.1 The council is required to prepare and publish the timetable for preparing statutory development plan documents (DPD). This timetable is referred to as the local development scheme (LDS) and presents Cheltenham Borough Council's commitment to the production of various planning documents that will make up the area's development plan.
- 1.2 This local development scheme was adopted by the Council meeting on the 26th of February 2015 and came into effect from this date. If you have any queries please contact the Planning Policy Team at Cheltenham Borough Council:

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2. Context

- 2.1 Planning shapes the places where people live and work. The planning system in England follows a 'plan-led' approach. This means that decisions on whether to approve or refuse a planning application should be made in accordance with the adopted development plan for the area, unless there are material considerations why a different decision should be made. Material considerations could include more up to date national planning policy and guidance or other issues particular to a specific place or set of circumstances which would demonstrate that a proposal could be sustainable despite being a departure from the adopted plan. Planning permission is normally required to carry out development (which includes engineering operations and changes in the use of land).
- 2.2 The previous version of Cheltenham Borough Council's local development scheme was adopted in 2009 and prepared under the Planning and Compulsory Purchase Act 2004 and Planning Act 2008. These acts required the preparation of planning documents under the umbrella name of 'local development framework' (LDF). This terminology has now changed following amendments made by the Localism Act 2011, which instead refers to 'local plans' comprising the development plan for an area. In addition, the Town and Country Planning (Local Planning) (England) Regulations 2012 have altered how plans should be prepared (see below).
- 2.3 This local development scheme identifies the timetable for the preparation of

the Joint Core Strategy (in partnership with Tewkesbury Borough and Gloucester City Councils) and the development of the Cheltenham Plan, to be undertaken in separately examined parts, which over time will fully replace the Cheltenham Borough Local Plan (2006). Together these development plan documents (DPD) will form the 'local plan' for Cheltenham borough (as defined under the National Planning policy Framework, 2012, Annex 2) along with any neighbourhood development plans that are adopted.

- 2.4 The Planning and Compulsory Purchase Act 2004 Part 2 section 15(2) (as amended by the Planning Act 2008 section 180) states that the scheme must specify—
- (a) the local development documents which are to be development plan documents;
 - (b) the subject matter and geographical area to which each development plan document is to relate;
 - (d) which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - (e) any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under section 29;
 - (f) the timetable for the preparation and revision of the development plan documents;
 - (g) such other matters as are prescribed.

Documents outside the scope of the local development scheme

- 2.5 Cheltenham Borough Council adopted a new statement of community involvement (SCI) in July 2014. The Planning Act 2008 (section 180) amends the 2004 Act (section 15(2)) in such a way that the only documents which need to be referred to in the scheme are development plan documents. This therefore removes the requirement to include detail of supplementary planning documents in the local development scheme.
- 2.6 Cheltenham Borough Council is currently preparing a preliminary draft community infrastructure levy (CIL) charging schedule. At the time of writing this LDS the Council had not made a decision on whether CIL will be implemented. Milestones concerning progress on any implementation of CIL will be recorded in the 'authority monitoring report' (AMR).
- 2.7 The Localism Act 2011 makes provisions for neighbourhood development plans to be prepared. Neighbourhood development plans are community-based documents initiated through a parish council or neighbourhood forum. They are required to undergo formal consultation and preparation procedures including an examination by an independent person and a public referendum. Subject to the successful completion of these procedures the neighbourhood development plan will ultimately be adopted by the council as part of the statutory development plan.

2.8 Because parish councils or neighbourhood forums must agree to produce these plans on their own behalf and in their own timescale, the local development scheme does not seek to set this out. To date no parishes or neighbourhood areas in the Borough have yet begun the formal process to begin the development of such a plan; however there has been some preliminary interest from some communities and supporting detail prepared. Milestones concerning progress on neighbourhood plans will be recorded in the AMR.

3. The documents, process and timetable

3.1 Because development plan documents form the statutory basis for planning decisions they carry the most weight of the Borough's planning documents. The preparation process involves complying with procedures set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. These require public consultation to be carried out at specific stages. They are subject to examination in public by an independent planning inspector and undergo a rigorous procedure of community involvement and consultation. The Council has an approved Statement of Consultation (SCI), adopted July 2014. The SCI can be viewed via the following link:
http://www.cheltenham.gov.uk/info/1004/planning_policy/1040/statement_of_community_involvement

3.2 The development plan documents that Cheltenham Borough Council is currently preparing are:

- Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS)
- Cheltenham Plan Part 1 (CPP1)

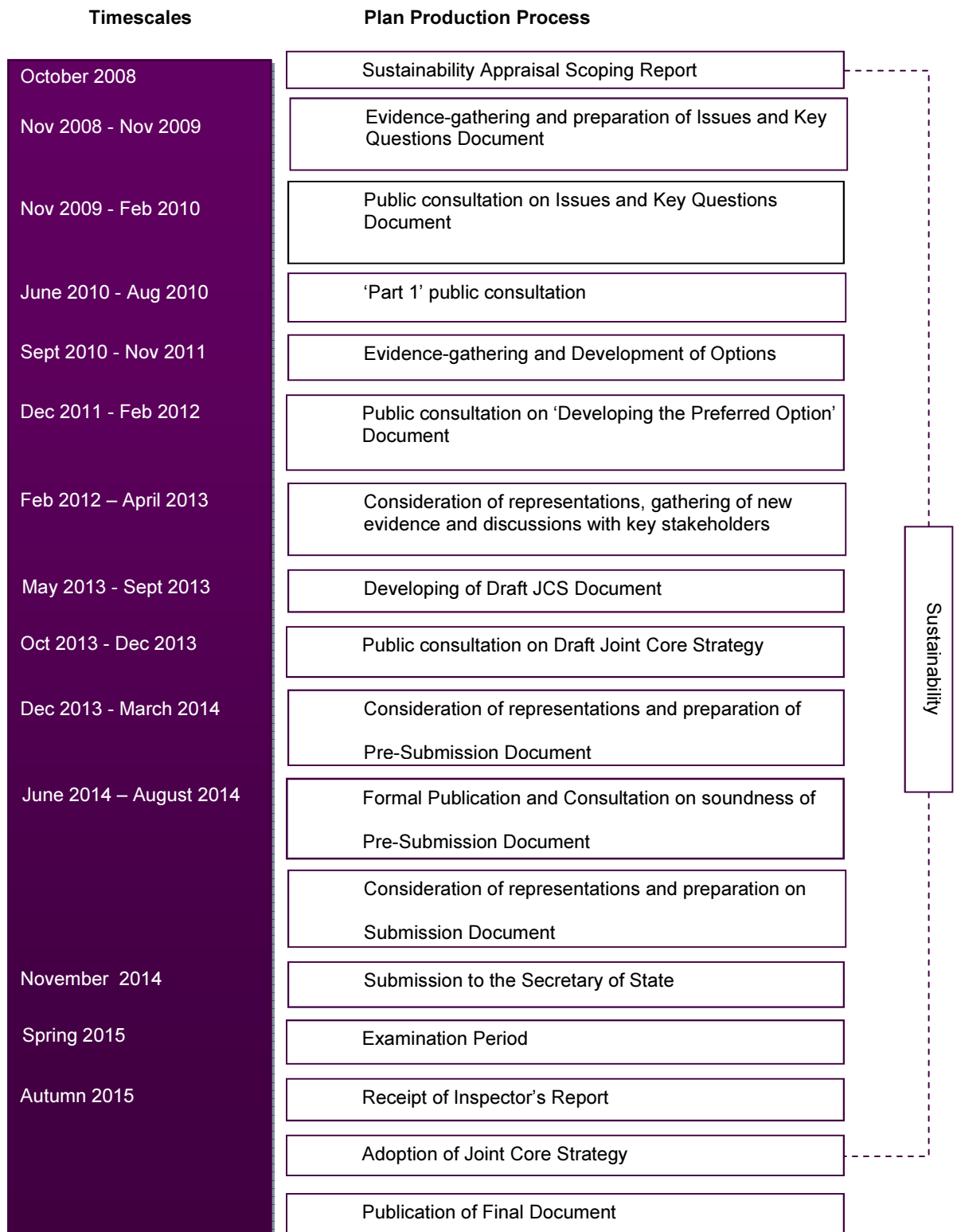
The details of these are set out below:-

Joint Core Strategy coverage and content

3.3 Cheltenham Borough Council, in partnership with Tewkesbury Borough Council and Gloucester City Council, are preparing an overarching strategic plan for the wider area covered by the three councils. This document is called the Joint Core Strategy (JCS). The JCS sets out a spatial vision and identifies a set of strategic objectives and strategic allocation sites for the respective local authority areas as well as a range of development management policies which set out how future development can be sustainably achieved. It is being prepared in the context of national planning policy and guidance alongside strategies and plans prepared locally by the three authorities. The JCS is a highly significant part of the planning framework as it deals with key strategic issues including: green belt, flooding, housing, employment, infrastructure (including transport); and the direction, timing and areas of growth for the JCS authorities. Further information on the JCS can be found at www.gct-jcs.org

3.4 The JCS was submitted to the Government for independent examination on 20 November 2014. The timetable given on the following page represents our indicative view as to when the next steps will take place, but is dependent on the timing of the examination and any work that needs to take place across the three authorities during or subsequent to it prior to adoption. Once the Inspector has agreed the timetable for the examination this will be posted on the JCS website and if needed the JCS timetable updated accordingly.

The timetable for the JCS as at January 2015



Cheltenham Plan coverage and content

- 3.5 The Cheltenham Borough Local Plan was adopted in 2006 and made provision for development up to 2011. The plan needs to be reviewed in light of progress in developing the JCS and changing local circumstances as well as the National Planning Policy Framework (March 2012); and national Planning Practice Guidance (launched online in 2014)

<http://planningguidance.planningportal.gov.uk/>;

It will cover the entirety of Cheltenham borough and provide locally specific policies and site allocations to complement the strategic direction provided in the JCS.

- 3.6 The new plan will be called the Cheltenham Plan and will be prepared in stages. The first phase of the plan (CPP1) will be focused on land allocations, identification of local green space and the setting out of an economic development strategy for the Borough. Later phases of the plan will replace existing development management policies and could, for example, contain more detailed strategies for urban design, retail, heritage or conservation.
- 3.7 The CPP1 timetable needs to follow in line with the JCS, ensuring that the former's content stays in line with the latter should changes be made through the JCS examination or afterwards. Therefore whilst consultation can take place on the Cheltenham Plan adoption is not intended to take place until after adoption of the JCS. The timetable for preparing the CPP1 is therefore also indicative as it is reliant on JCS progress:

Earlier Stages:

- Jan to June 13 project planning and internal and member consultation
- 08/07/13 - 2/9/13 Cheltenham Plan Scope Consultation (reg. 18)
- 3/2/14 Publication of agreed Draft Vision and Objectives For Cheltenham Local Plan

Future Stages

- Non statutory consultation on initial draft Spring / Summer 2015
- Pre-submission consultation - Winter 2015
(After the JCS examination and receipt of JCS inspector's report)
- Submission to the Secretary of State – Winter 2015/Spring 2016
- Examination - Spring 2016
- Adoption -Summer 2016

The timetable for the Cheltenham Plan will be kept up to date via the Council's website.

4. Project Management and Resources

- 4.1 Preparation of the planning documents will be led by the council's planning policy team. The work will be complemented by other council officers with specialist expertise in particular areas e.g. housing, urban design, heritage and conservation, leisure, transport, environment, health and legal. In addition, external resources may be called upon, particularly from the county

council, and consultants for certain projects. Work has been undertaken to chart these through project management of both the JCS and the Cheltenham Plan. A project initiation document has been prepared which sets out the management and resources of the Cheltenham Plan. The project timetable for the Cheltenham Plan can be viewed on the Cheltenham Plan Webpage at: http://www.cheltenham.gov.uk/info/1004/planning_policy/1034/the_cheltenham_plan

- 4.2 Elected member involvement in plan preparation is primarily via Planning and Liaison Member Working Group (for the Cheltenham Plan) and Member Steering Group (for the JCS). These groups provide advice and feedback to officers on a range of planning policy matters. Council adoption of development plan documents will be via full council resolution, but agreement to publicly consult on draft documents can be given by Cheltenham Borough Council Cabinet
- 4.3 At the time this LDS was prepared the Council's budget for financial/staff resources to produce the planning documents set out in section 3 (above) had not been finalised for the coming year, however the financial implications section of the council report which accompanies this document may have more up to date information. Additionally, the programme (particularly in relation to the JCS) is reliant in part upon the work of external agencies and thus will be influenced by factors beyond its control. Any significant changes in circumstances, which may influence the ability to deliver the proposed programme, will be reflected in future reviews of this local development scheme and set out where relevant in the authority monitoring report (AMR). Detailed work on budgets and resources has been undertaken through project management of both the JCS and the Cheltenham Plan.

Monitoring

- 4.4 To ensure that the plan process is achieving its objectives, the AMR will set out the progress and effectiveness of the plan preparation processes. The AMR is published annually and will report key milestones in relation to the progress of the development plan documents and other relevant items.

Risk assessment and contingency

- 4.5 A JCS-specific risk assessment has been prepared by the JCS project manager, appointed by the three councils to oversee JCS preparation to ensure timetables and deadlines are met. In addition, regular JCS team meetings identify forthcoming work priorities and issues that have arisen or may arise. The Cheltenham Plan also has a risk register as part of its Project Initiation Document, and this forms part of the wider corporate risk register of the council.

Web based Resources and further information

- 4.6 Information about the Gloucester Cheltenham and Tewkesbury Joint Core Strategy, and the forthcoming examination can be found at:
www.gct-jcs.org
- 4.7 Information about the adopted 2006 Cheltenham Borough Local Plan saved policies and the emerging Cheltenham Plan can be found at:

http://www.cheltenham.gov.uk/homepage/174/planning_policy