

Council – 15 June 2006

SOUTH HAMS LOCAL DEVELOPMENT FRAMEWORK – STATEMENT OF COMMUNITY INVOLVEMENT

Report of the Head of Community Regeneration

Statutory Powers: Planning and Compulsory Purchase Act 2004 and Town and Country Planning Act 1990

Financial Implications: Planning Delivery Grant (PDG) will be assessed with reference to the Council's performance management of the LDF. Progress on plan making (including the Statement of Community Involvement) is measured against the milestones set out in the Local Development Scheme (LDS).

Purpose

To enable Members to endorse the adoption of the LDF Statement of Community Involvement (SCI) in line with the Planning Inspectorate's binding report.

Links to Council Priorities – the Statement of Community Involvement links to all Council priorities, particularly CP1 (affordable homes), CP2 (good jobs), CP3 (maintain the district's character) and CP5 (an accessible Council)

RECOMMENDATION

That the Council RESOLVES to adopt the South Hams Local Development Framework Statement of Community Involvement in line with the Planning Inspector's binding report.

Background/The Issues

1. The Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce a Statement of Community Involvement (SCI) as part of their Local Development Framework (LDF). The legislation aims to ensure that community involvement is an integral part of the preparation of LDF documents. When adopted, the SCI will set out how the Council will consult on all LDF documents and planning applications.
2. The LDF will work alongside the Community Strategy to deliver local priorities for development and shares a common goal for community involvement as expressed in the Community Involvement Policy adopted by Council in 2003. The SCI interprets its provisions as they apply to the LDF. When adopted, documents in the South Hams LDF will have to be in conformity with the SCI.
3. The draft version of the SCI was subject to 6 weeks of consultation in October 2004. This helped inform the Submission version of the document, which underwent a further consultation of 6 weeks from 24 June to 5 August 2005. Following the Submission stage the SCI was subject to an independent Examination in January by the Planning Inspectorate through written representations. The purpose of the Examination was to assess the soundness of the SCI. An inspector was appointed by the Secretary of State to conduct the Examination and produce an Inspector's report which is binding upon the Council.

4. The Council has now received the Inspector's Report which concludes that the SCI is sound and can be adopted with a limited number of revisions. A copy of the Inspector's Report is attached as an Appendix to this report. The majority of these revisions are in line with the amended version of the SCI which was approved by Council on 22 December 2006. A copy of the final SCI which reflects these binding revisions can be viewed in the Forward Planning Office.
5. In summary, the recommended changes to the SCI involve clarifying how consultation activities will be resourced internally to meet the minimum requirements of the legislation, how changes resulting from consultation activity will be reported back to the community, and the specific consultation procedures that apply to different types and scales of planning applications.

Risk Assessment

Risk	Mitigation
Failure to adopt the SCI in line with the milestones set out in the LDS project plan, resulting in a loss of Planning Delivery Grant award for plan-making.	It is important that the Council resolve to adopt the SCI, so it remains in line with the LDS project plan.

Conclusion

6. Members are asked to endorse the amended SCI for adoption. This will be the Council's first adopted LDF document. This is an important document which will define how the Council will consult on all LDF documents and planning applications.

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Council
 15 June 2006

Lee Bray
Head of Community Regeneration

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Background Documents:

Draft South Hams Statement of Community Involvement (October 2004)
 Submission Stage South Hams Statement of Community Involvement (June 2005)
 The Town and Country Planning (Local Development) (England) Regulations 2004
 Planning Policy Statement 12: Local Development Frameworks (2004)