

Item no.

Report to: Executive
Date: 22 November 2005
Report of: Executive Member for Environment and Transport
Subject: Council Response to other local authority development plan documents
Ward: All

1. Purpose of Report

1.1 The purpose of this report is to clarify procedures to respond to consultations from neighbouring local authorities on their development plan documents in their Local Development Frameworks.

2. Consultation

2.1 The Management Team has been consulted on this report.

3. Background

- 3.1 Under the terms of the Planning and Compulsory Purchase Act 2004, local authorities are required to consult with all neighbouring local authorities as they prepare each of the development plan documents in their LDF.
- 3.2 Consultation is likely to be undertaken three times on each document. At the early key issues evidence gathering there is anticipated to be informal consultation, usually with a 21 day response time. Formal consultation is undertaken on the Preferred Options document and on the final Submission document for a statutory 6 week period each time.
- 3.3 In addition, consultation will be undertaken on any Supplementary documents which local authorities want to prepare in support of their LDF, once during the early preparation stage and formally for a minimum of 4 weeks on the draft document.
- 3.4 The Council has to date received consultations on documents prepared by City of Durham, Sedgefield, City of Sunderland, Hartlepool, Teesdale and Durham County Council. The documents are identified in the Appendix to this report.

4. Position Statement and Option Appraisal

- 4.1 The Council has five neighbouring authorities, including the County Council. Assuming that each of these is preparing a Statement of Community Involvement and the maximum permitted four Development Plan Documents over the three years of their current Local Development Scheme, the Council can expect to receive at least 75 consultations over the next 30 months on DPDs, and additional consultations on an unknown number of Supplementary planning documents.
- 4.2 In order to manage this work efficiently, and not to burden the Executive on detailed and developing consultations, it is proposed that the following procedures are adopted to handle consultations from neighbouring authorities.
- 4.3 For consultations during the early stages of document preparation, the Head of Planning and Building Control will exercise delegated authority to make representations on matters in other development plans that are considered to have an impact on the District. This can be without prejudice to any subsequent response from the Council to a later formal consultation.

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- 4.4 For consultation on the subsequent formal Submission draft, where it is considered that the document does not adequately reflect the earlier response from the Council and it is considered that a formal objection should be lodged, and if necessary defended through the Independent Examination, the matter will be reported to the Executive for a formal representation to be made from the District Council.
- 4.5 A list of all LDF documents received for consultation from other authorities will be kept updated on the Council's intranet, along with any responses to the document.

5. Implications

5.1 Financial

There are no financial implications

5.2 Legal

There are no legal implications

5.3 Policy

Policy implications are addressed in the report

5.4 Risk

As this is a document for information only there is no risk

5.5 Communications

Representations will be made to neighbouring authorities as appropriate. A list of all documents received from neighbouring authorities and any representations made will be kept updated on the Council's intranet. Formal objections to Submission documents will be reported to the Executive for approval.

6. Corporate Implications

6.1 Corporate Plan and Priorities

The report addressed quality of service issues

6.2 Equality and Diversity

There are no equality and diversity issues

6.3 E-Government

There are no e-government issues

6.4 Procurement

There are no procurement issues

7. Recommendation

It is recommended that the head of Planning and Building Control is given delegated authority to respond to consultations on LDF documents from neighbouring authorities, except where it is considered that an objection should be made to a policy or proposal in a final Submission draft of the document. In this

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circumstance, the matter will be reported to the Executive for a formal representation to be made.

Background Papers/Documents referred to

Planning and Compulsory Purchase Act 2004

Appendix

LDF Documents received to date from neighbouring authorities

City of Durham	Planning for Housing, Preferred Options Report Planning for Housing Sustainability Appraisal Draft Statement of Community Involvement Provision for Public Art, Supplementary PD Provision for Public Art Sustainability Appraisal
Sedgefield Borough	Statement of Community Involvement, Submission DPD Residential Extensions Supplementary PD Residential Extensions Sustainability Appraisal
City of Sunderland	Alteration 2, Central Sunderland, UDP Alteration 2, Sustainability Report Alteration 2, Statement of Consultation Alteration 2, Schedule of Changes
Durham County Council	Minerals issues and Options Report Submission Statement of Community Involvement