



Draft Local Plan Local Development Scheme (LDS)

Including Minerals and Waste

2015-2030

Local Development Scheme
LDS7 December 2018



Council of the
ISLES OF SCILLY



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If you require any of the documents in an alternative language, in larger text, Braille, easy read or in an audio format, please contact the Council at diversity@scilly.gov.uk or telephone 01720 424455

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Draft Local Plan 2015-2030
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INTRODUCTION

1. Local Planning Authorities are required to produce a Local Development Scheme (LDS). This is a rolling two-year project plan setting out all the planning documents to be produced by the authority and the timetable for their preparation. The timetable should identify specific milestones for measuring completion of each part of the document preparation process.
2. Local Plan documents contain the policies which all planning applications are considered against, unless a material consideration indicates otherwise.
3. The Localism Act 2011 allows Local Planning Authorities to adopt their own Local Development Schemes without approval from the Secretary of State. However, it makes provisions for certain interventions by the Secretary of State. It also maintains the requirements to produce an LDS and keep it up to date as set out by the Planning and Compulsory Purchase Act 2004.
4. This LDS, version 7, covers the period 2017 - 2019 and supersedes the Council's adopted LDS, version 6, published in August 2018.

BACKGROUND TO PLAN MAKING

5. The Planning and Compulsory Purchase Act 2004 introduced the Local Development Framework which comprises different sorts of Local Development Documents. However, these terms are no longer used in the new national guidance. The National Planning Policy Framework (NPPF) adopted in July 2018, defines the Local Plan as the plan for the future development of the local area, drawn up by the Local Planning Authority in consultation with the local community.
6. The NPPF requires Local Planning Authorities to produce a Local Plan for their area¹. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional Development Plan Documents (DPDs) should only be used where clearly justified. Supplementary Planning Documents (SPDs) should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development².

¹ Paragraph 15 of the NPPF 2018:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf

² Paragraph 126 of the NPPF 2018:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf



7. This LDS contains details of the production timetable of the Local Plan for the Isles of Scilly. The Local Development Scheme 2017 -2019.
8. The LDS is a 2-year project plan setting out a timetable for the preparation of a new Local Plan. It allows the community and stakeholders to find out about the Council's future intentions for the planning of the Isles of Scilly.

Plan Making

9. Local Plans must be prepared with the objective of contributing to the achievement of sustainable development³. They should be based on a proportionate evidence base which includes adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
10. The Local Plan and any other Local Plan Documents must also be consistent with national planning policies (unless there is a robust reason for why the Isles of Scilly requires any variation to those policies).
11. There are two types of Local Development Documents: Development Plan Documents (DPDs): This includes adopted Local Plans. These plans are statutory and are scrutinised by a Planning Inspector at an examination and can comprise a Local Plan, Core Strategy, Site Specific Allocations and Area Action Plans. The second type of Local Development Documents: Supplementary Planning Documents (SPD): These are non-statutory plans that are not scrutinised by a Planning Inspector and can be formally adopted by the Council. SPDs do not set policy, but expand upon or explain how policies in adopted DPDs should be applied, and are capable of being a material planning consideration in planning decisions, but are not part of the development plan.
12. The current SPDs will be updated once the new Local Plan is formally adopted. These include:
 - Isles of Scilly Design Guide 2007
 - Biodiversity and Geodiversity 2008
 - Isles of Scilly Sustainable Energy Strategy 2007
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13. The Key States of DPD preparation are set out in Figure 1 below.

Stage	Description	Progress/Schedule
Public participation (Regulation 18)	Opportunity for interested parties and statutory consultees to consider the options for the plan	Consultation took place in 8 th June 2015 – 17 th July 2015

³ Paragraphs 7, 8, 10 and 11 of the NPPF 2018:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf



	before the draft local plan document is produced.	
Consult on sustainability appraisal scoping report	The SA scoping report sets out the sustainability objectives used to appraise the economic, social and environmental effects of the DPD. The SA scoping report is subject to consultation.	Consultation took place in 19 th Oct 2015 – 30 th Nov 2015
Draft Local Plan Publication (Regulation 18) and Sustainability Appraisal of the draft plan.	The Council publishes the Draft Local Plan which is followed with a minimum 6 week period when formal representation can be made to the Draft Local Plan.	Publication was on 16 th March 2018
Public Consultation	In connection with the above 6 week consultation there will be a week of drop-in sessions on all the inhabited islands	Consultation took place in 16 th March 2018 through to 11 th May 2018
Publication of Pre-Submission Draft Local Plan (Regulation 19) and Consultation Statement	The Council publishes its Pre-Submission Draft Plan to the Secretary of State.	January/February-2019 Following Full Council on 15 th January 2019
Submission (Regulation 22)	The Council submits the Local Plan to the Secretary of State with the representations received and Council's summary of those representations.	March/April 2019 (following 5 th March/2 nd April 2019 Full Council if required)
Examination in Public	The Planning Inspector appointed by the Secretary of State hears evidence from invited parties to inform his or hers consideration of the soundness of the DPD.	TBC (possibly April/May 2019)
Receipt of Inspector's Report	The Council receives the Inspector's report, which may contain minor modifications that will need to be incorporated before adoption	TBC (possibly September 2019)
Adoption	The Council can formally adopt the DPD and use it for the purpose of development management	TBC (possibly October-19)

Revised Local Plan Review timetable – Updated August 2018



14. A Local Development Scheme is required under [Section 15 of the Planning and Compulsory Purchase Act 2004](#) (as amended by the Localism Act 2011). This must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It must be made available publically and kept up-to-date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website.

Reasons for Local Development Schemes Amendments

15. As the Local Planning Authority has been unable to comply with LDS6 in relation to the following:
- Slippage on commencing publication and consultation on Regulation 18 Public Consultation.
 - Responding to the Consultation Responses to the Regulation 18 consultation including additional reports and the need to have an Appropriate Assessment under the Habitat Regulations of the Plan.
 - Impact of losing Development Management support with Exmoor National Park, which ended in March 2018 which diverted resources and Council Officers away from the Local Plan and back to dealing with planning applications.
 - Publication of new NPPF 2018 and the draft plan requiring a review to reflect those changes
 - Working on the evidence base as a result Consultation Responses
 - Waiting on the production of an Infrastructure Capacity Assessment
 - Working on a Statement of Common Ground, under the Duty to Co-operate, with Cornwall Council.
16. In order to update the community and interested parties we have revised our timetable to more accurately reflect the progress currently being made to adopt a new Local Plan.



School Holiday			Pre-Submission Plan Publication (Reg 19) : Jan/Feb 2019 (following 15th Jan Full Council)
30/03/2018 – 15/04/2018 Easter			6 Weeks Notification of Submission of Draft Local Plan (Reg 19): Feb/Mar 2019
26/05/2018 – 03/06/2018 Half Term			Post Consultation time: Nov/Dec 2018
30/07/2018 – 04/09/2018 Summer Break			Submission to Secretary of State (Reg 22) May 2019 (following 2nd April Full Council if necessary)
19/10/2018 – 06/11/2018 Half Term			Examination in Public 6-8 weeks post submission (tbc)
24/12/2018 – 07/01/2019 Christmas Break			Inspectors Report (tbc)
18/02/2018 – 25/02/2019 Half Term			Adoption of Local Plan (take to Planning Committee) (Reg 26) (tbc)