

Report of Head of Planning and Local Development

LOCAL DEVELOPMENT SCHEME REVIEW

1 Purpose of report

To seek approval of the reviewed Local Development Scheme (LDS) for the Plan for the Borough of Wellingborough (PBW).

Progress with the local plan will help to deliver the council's objective of enhancing the environment and promoting high quality growth.

2 Executive summary

Planning authorities are required to publish a local development scheme on their website, which should be regularly reviewed for progress. The LDS is a public statement setting out what documents are to be prepared as part of the local plan and the programme for their production.

The LDS explains what each element of the local plan will look like, what it aims to do, and when key stages will occur. This LDS only relates to 'part 2' of the local plan (PBW) and does not relate to documents associated with 'part 1' of the local plan - the Joint Core Strategy (JCS).

This report reviews the LDS based on the progress of the PBW.

3 Appendices

Appendix 1 – The Local Development Scheme (April 2016 review)

4 Proposed action:

4.1 The committee is invited to RESOLVE to approve the Local Development Scheme (April 2016 review) so that it can be published on the council's website.

5 Background

5.1 The PBW is being prepared to help guide future development and planning decisions in the area. It will sit alongside 'The North Northamptonshire Joint Core Strategy' (JCS) which is also under review. Together these documents will both form the 'local plan' for the borough (The JCS being 'part 1' and the PBW being 'part 2'). Both documents will cover the period 2011 to 2031.

5.2 The JCS will set out the strategic planning policies for the area. The PBW will compliment and add local detail to these strategic policies. The PBW will not need to repeat policies contained within the JCS or those within the National Planning Policy Framework (NPPF). The aim is to adopt the JCS by 2016 and the PBW by 2017.

5.3 The LDS is a statement setting out what documents are to be prepared as part of the PBW and the programme for their production. The LDS was last published on the council website in September 2015 following approval by members at Services Committee of 14 September 2015. The LDS should be reviewed regularly so that it is kept up to date; this report represents its first annual review.

6 Discussion

6.1 When producing the PBW a balance has to be struck between the need to produce a comprehensive set of policies and the pressing need to have the document adopted to deal effectively with development pressures and opportunities. The broader the scope of the plan, the longer it takes to produce.

6.2 The LDS produced in September 2015 set out a broad high level timetable for the production of the PBW, which needs to be refined over time with further detail as evidence gathering progresses. The timetable for such a large programme is indicative, and subject to change as a result of balancing local plan production with other work priorities. The overall aim of the LDS is to adopt the PBW in 2017. This is a challenging timetable and there are a number of risks that could affect how the timetable changes over time.

6.3 The following stages of the PBW have already been completed. These are:

Stage	Timetable
Regulation 18 consultation (identifying the scope of the plan)	21 March to 2 May 2014
Evidence gathering, stakeholder engagement and commissioning of consultants	May 2014 to Dec 2014
Report Issues and Options document and background papers to committee	15 Dec 2014
Consultation on Issues and Options	26 Jan 2015 to 9 March 2015
Evidence gathering, options testing, taking into account representations received, stakeholder engagement and writing draft plan	March 2015 to March 2016

6.4 The next stages that are necessary in the process are:

Stage	Timetable
Consultation on emerging draft plan and commissioning of consultant work to test the plan	April 2016 to May 2016
Consideration of representations and consultant reports and preparation of pre-submission plan	June 2016 to July 2016
Report pre-submission plan to Committee	September 2016
Consultation on pre-submission plan (publication of plan)	September 2016 to November 2016
Report submission plan to committee	December 2016
Submission of plan to Secretary of State	December 2016
Examination	December 2016 to June 2017
Adoption	July 2017

Updated timetable

- 6.5 A review of the timetable has been undertaken and more detail added to the various stages to improve the accuracy of the overall programme.
- 6.6 The current stage in the plan making process is well underway and the majority of stages have been completed despite competing challenges from other work programmes. These challenges include:
- Work on the Authorities' Monitoring Report
 - Planning policy comments;
 - Refinement of the five year supply in order to assist various planning appeals;
 - Work associated with the Neighbourhood Plans; and
 - Work on a brownfield land register.
- 6.7 A separate report to this committee sets out the work that has been undertaken on producing an emerging draft of the PBW and seeks agreement to consult on that plan and accompanying background documents. Whilst the consultation is being undertaken the council will commission consultants for work on viability testing, transport modelling, sustainability appraisal and habitats regulation assessment.
- 6.8 The subsequent stage of the timetable will be to finalise the pre-submission draft of the plan which aims to be reported to committee in September 2016. The timing of this stage will be dependent on the number and scale of representations received and whether any further evidence gathering is required as a result. Consultation on the pre-submission is expected to take place immediately after consideration by committee from September to November 2016. Once representations have been received at this stage the council can determine whether any further changes are necessary to the plan before it is formally submitted to the Secretary of State for examination.

- 6.9 Once the plan is submitted to the secretary of state for examination the council has no control over the timing of this part of the process; this will be managed by the examiner. This examination stage is likely to include a hearing. This normally takes place 10 weeks after the plan is submitted and the Inspector's Report is expected after 24 weeks.

7 Legal powers

- 7.1 The Localism Act 2011 and Planning and Compulsory Purchase Act 2004.

8 Financial and value for money implications

The efficient production of the Local Plan protects against costly planning appeals and is therefore value for money. Production of the plan in house with the use of consultants for specific evidence production is a cost effective way of producing the plan balanced with the need to minimise the time to adoption.

9 Risk analysis

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
Not reviewing a timetable to produce the local plan	Overall project planning for local plan production is disjointed and unfocussed, leading to delays. Delays to local plan production increases the chance of speculative development being allowed on appeal in locations which may not be acceptable to communities or the council. Other work priorities can easily take precedence.	High	Update the timetable and proceed through the various stages in the plan making progress towards adoption as soon as possible, balancing this with other work priorities.
Lack of a local plan	More appeals against planning refusals due to policies becoming out of date, leading to more awards of costs.	High	Update the timetable and proceed through the various stages in the plan making progress towards adoption as soon as possible.

10 Implications for resources

- 10.1 The funding for additional resources for the production of the PBW was agreed by Resources Committee in December 2013. The stages outlined in this LDS do not go beyond the spending allocated at that time.

11 Implications for stronger and safer communities

- 11.1 Progressing the local plan review will help to make stronger and safer

communities by producing policies that guide development to the most appropriate locations and to deliver sufficient housing, jobs, retail and other land uses. Publication of the LDS informs the public and stakeholders of progress.

12 Implications for equalities

- 12.1 An equality impact assessment (EqIA) screening has been completed for the plan. This identified that there is no anticipated negative effect on groups with protected characteristics. The plan includes a policy which seeks to improve housing to meet the needs of older people.

13 Author and contact officer

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14 Consultees

Julie Thomas, Head of Planning and Local Development.
Victoria Phillipson, Principal Policy and Regeneration Manager.
Liz Elliott, Head of Finance
Bridget Lawrence, Head of Resources

15 Background papers

None.

Wellingborough Local Development Scheme

Last review date: 11 April 2016

1 The Local Development Scheme

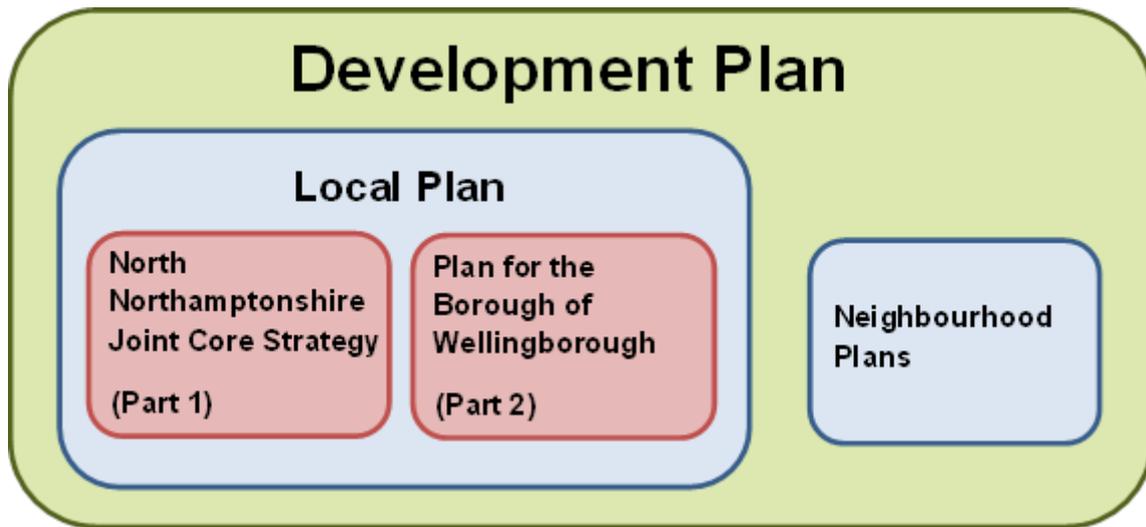
- 1.1 Planning authorities are required to publish a Local Development Scheme (LDS) on their website, which should be regularly reviewed. This is a public statement setting out what documents are to be prepared as part of the Local Plan review and the programme for their production. This document sets out the LDS for The Borough Council of Wellingborough in their production of their Local Plan. The LDS explains what each element of the Local Plan will look like, what it will aim to do, who will be responsible for preparing it and when the key stages will occur.
- 1.2 The plan will replace the Town Centre Area Action Plan (adopted in 2009), the saved policies from The Borough of Wellingborough Local Plan (1999 and 2004), and the Site Specific Proposals Development Plan Document (which reached preferred options stage in 2010). These documents were prepared before the National Planning Policy Framework (NPPF) was issued (March 2012) by Government and they need to be updated.

2 The planning system

What is a Local Plan?

- 2.1 National planning policy places Local Plans at the heart of the planning system, so it is essential that they are in place and kept up to date. Local Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design. They are also a critical tool in guiding decisions about individual development proposals, as Local Plans (together with any neighbourhood plans that have been made) are the starting-point for considering whether applications can be approved. It is important for all areas to put an up to date plan in place to positively guide development decisions.
- 2.2 National planning policy sets clear expectations as to how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.
- 2.3 The Local Plan should make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered. This can be done by setting out broad locations and specific allocations of land for different purposes; through designations showing areas where particular opportunities or considerations apply (such as protected habitats); and through criteria-based policies to be taken into account when considering development. A policies map must illustrate geographically the application of policies in a development plan. The policies map may be supported by such other information as the Local Planning Authority sees fit to best explain the spatial application of development plan policies.
- 2.3 There is no set format as to how the Local Plan will be set out, and it can be made up of a series of separate documents, rather than being all in one place. In Wellingborough's case, there will be two documents that make up the Local Plan.

3 Relationship with the North Northamptonshire Joint Core Strategy



- 3.1 The North Northamptonshire Joint Planning Unit (NNJPU) was responsible for producing the Core Spatial Strategy (CSS) which was adopted in 2008. This is currently under review and will be replaced with the Joint Core Strategy (JCS). The JCS will provide the overarching development framework for North Northamptonshire, setting out where development should go and the standards it should aim to achieve. It co-ordinates growth, considers the roles and relationships between settlements, and sets out the strategy for infrastructure provision.
- 3.2 It is expected that the JCS will be adopted in 2016. The JCS will form part of the Local Plan for Wellingborough, as decisions on planning applications can be based on policies contained within it. It is helpful to think of this as 'Part 1' of the Local Plan for Wellingborough.
- 3.2 The Plan for the Borough of Wellingborough (PBW) will be a separate document from the JCS, and can be thought of as 'Part 2' of the Local Plan. This will contain policies specifically relating to Wellingborough, giving local expression to the strategic policies of the JCS. It will need to conform with the policies contained within the JCS.
- 3.3 Should an area decide to produce a Neighbourhood Plan, this is a separate process but any plans produced would need to be in general conformity with the Local Plan, and must not conflict with it. There are several Neighbourhood Plans being progressed within the borough at the moment. The Earl's Barton Neighbourhood Plan was formally made on 19 January 2016.

4 Schedule of Local Plan Documents

- 4.1 The Local Plan will be made up of two parts. Part 1 of the Plan relates the JCS as detailed previously.
- 4.2 Part 2 of the Local Plan will be called 'The Plan for the Borough of Wellingborough.' This will contain:
- Site specific allocations and proposals
 - Town centre policies

- A policies map

4.3 The Local Plan will replace the following documents:

- The Wellingborough Town Centre Area Action Plan (adopted 2009)
- Saved development plan policies from the Borough of Wellingborough Local Plan (including Local Plan Alteration) (adopted 1999 and 2004)

5 Local Plan Programme

5.1 The timetable for the production of the Plan for the Borough of Wellingborough is set out as follows:

Stage	Timetable
Regulation 18 consultation (identifying the scope of the plan)	21 March to 2 May 2014
Evidence gathering, stakeholder engagement and commissioning of consultants	May 2014 to Dec 2014
Report Issues and Options document and background papers to committee	15 Dec 2014
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6 Saved Policies and Supplementary Planning Guidance

6.1 Supplementary Planning Documents no longer need to be identified in the LDS. These documents will change over time and are available on the council's website here:

http://www.wellingborough.gov.uk/info/200132/local_development_framework/1164/supplementary_planning_guidance-documents_and_informal_guidance

6.2 Several of the 1999 and 2004 policies have been saved and will continue to apply in determining planning applications until they are replaced or updated by equivalent policies in the Local Plan Part 1 or Part 2. The saved policies are available here:

http://www.wellingborough.gov.uk/downloads/download/1839/local_plan_saved_policies_list

7 Management and Resources

Resources

- 7.1 The council's Planning Policy and Regeneration team is responsible for the production of the Local Plan; however specialist expertise from consultants is required at times in the production of certain evidence, at specific points in the plan making process.
- 7.2 Budgetary provision was agreed in December 2013 at Resources Committee which covers a three year production programme. Regular reports will be made on progress and there will be a formal annual review in the Authorities' Monitoring Report (AMR).

Risk assessment and Management

- 7.3 The production of complex documents as part of the Local Plan requires consideration of the potential risks involved in their preparation. An assessment has been carried out of the factors that could affect the ability of the council to deliver the Local Plan in accordance with the indicated programme. Actions to manage these risks have been identified.

Risk	Likelihood/Impact	Management Action
Programme Slippage	Medium/High The council should meet the milestones for the Local Plan in the Local Development Scheme. Failure to deliver against the key milestones will be damaging to the reputation of the council and the absence of an up to date Plan will increase the risk of speculative developments in locations that are not desirable. The three year programme is challenging given the amount of staff and resource available.	Monitor progress carefully, give priority to achieving key milestones set out in the Local Development Scheme
Staff Resources	Medium/High Loss of staff will impact on the production of the Local Plan given that it is a small team for Plan production	Ensure that sufficient staff resources with the necessary experience and expertise are available, or ensure that this can be provided by external agencies.
Competing Work Priorities	Medium/High The Planning Policy and Regeneration Team are involved in a wide variety of planning work, including appeals and planning applications. This weighs heavily on internal resources and can divert work away from Local Plan production	The high priority of the Local Plan is recognised and at certain times other work will have to take a much lower priority. Where this is not possible consideration is given to outsourcing work to consultants or agencies.
Financial	Low/Medium	Overall resources have been

Resources	Sufficient financial resources are required to prepare Local Plan documents including for consultancy, consultation and the examination process.	agreed at Services Committee in December 2013. Moving forward, it is important to ensure the Local Development Scheme informs the council's Medium Term Financial Plan.
Level of public interest causes delays	Low/Medium Public interest in the Local Plan can be high during periods of consultation, depending upon policies and allocations.	Ensure that resources are drawn from across the Planning Policy and Regeneration wider team to deal with representations and consultation events.

Evidence base

- 7.4 A considerable amount of background research already exists in relation to the North Northamptonshire area and Wellingborough. The evidence base is regularly updated and can be found here:

http://www.wellingborough.gov.uk/info/200132/local_development_framework/1169/evidence_base

Statement of Community Involvement

- 7.5 The Statement of Community Involvement covers the whole of the North Northamptonshire Area and can be found here:

http://www.wellingborough.gov.uk/info/200132/local_development_framework/1165/statement_of_community_involvement

SEA/SA and HRA

- 7.6 In preparing Local Development Documents (LDDs), attention will be given to the expected environmental outcome of proposed plans. All LDDs will be subject to sustainability appraisal (SA). A European Union Directive (July 2006) requires that all development plans likely to have significant effects on the environment must incorporate a Strategic Environmental Assessment (SEA).

Whilst the SA/SEA process examines the concept of sustainability through consideration of social, economic and environmental impacts, matters of health and equalities also need to be incorporated into impact assessments for policy formulation. The approved SA/SEA framework therefore includes specific section on health under the objective 'to improve the health and wellbeing of all.' The issue of equalities falls outside this remit, but it is a requirement of the council under the 'Equality Standard for Local Government' to include this element in fulfilling its duties promoting equality in service provision.

Local development documents must also comply with the requirements of the European Community's Habitat's Regulations on the conservation of natural habitats and of wild fauna and flora (Directive 92/43/EEC, May 1992). The regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaption of planning and other controls for the protection of European sites. An

assessment of the impact of strategic development allocations on such sites was undertaken for the JCS (Local Plan Part 1).

Monitoring and review

- 7.7 Monitoring is undertaken via the North Northamptonshire yearly AMR. The most recent of which is here:

<http://www.nnjpu.org.uk/publications/docdetail.asp?docid=1425>

- 7.8 The AMR monitors the delivery of policies on a yearly basis.

Appendix 2: Glossary of Terms

AAP	Area Action Plan	Plans that focus on implementation in areas in need of change or conservation. AAPs give detailed guidance about future development in these areas.
AMR	Authorities' Monitoring Report	A report prepared that reviews: progress on preparing documents set out in the LDS; how policies are being implemented; the number of dwellings delivered; progress on any Neighbourhood Plans or Orders; any CIL reporting requirements and action taken under the duty to cooperate.
DPD	Development Plan Document	Documents that have 'development plan' status, which means they have been subject to an Independent Examination by an Inspector. In North Northamptonshire, the Core Strategy the AAPs and the Policies Map are all DPDs.
LP	Local Plan	The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. In this borough it is intended that the Local Plan will comprise the Joint Core Strategy (Part 1) and the Plan for the Borough of Wellingborough (Part 2).
LDS	Local Development Scheme	The document which sets out which development plan documents are to be prepared and includes a timetable for their production.
SA	Sustainability Appraisal	An assessment of the impact that policies and proposals within a local plan could have on the environment, economy and society.
SCI	Statement of Community Involvement	This is a statement setting out how the local planning authority intends to involve the community in the preparation of the Local Plan and all development control decisions.
SEA	Strategic Environmental Appraisal	Required under the terms of the European Directive 2001/42/EC for 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'
SPD	Supplementary Planning Document	Documents that add further detail to policies in the local plan. They are a material consideration in planning decisions, but are not subject to independent examination and are not part of the development plan.