

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).

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 (January 2017 review)

4 Proposed action:

4.1 The committee is invited to RESOLVE to approve the Local Development Scheme (January 2017 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 was adopted in July 2016. 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 sets 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).

- 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 updated in April 2016 following approval by members at Services Committee on 11 April 2016. The LDS should be reviewed regularly so that it is kept up to date.
- 5.4 An update on progress with the PBW was reported to Development Committee on 19 September 2016. The Committee endorsed undertaking additional studies to support the preparation of the plan and resolved to receive a future update on the LDS.

6 Discussion

- 6.1 The LDS produced in April 2016 set out a 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 responding to representations received, changing policy requirements and balancing local plan production with other work priorities. The overall aim of the LDS is to adopt the PBW in 2018. This is a challenging timetable and there are a number of risks that could affect how the timetable changes over time.
- 6.2 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
Consultation on emerging draft plan	15 April to 27 May 2016
Commissioning of consultant work to test the plan	April to Dec 2016

- 6.3 The next stages that are necessary in the process are:

Stage	Timetable
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Consideration of representations and consultant reports and preparation of the publication plan and supporting documents	May 2016 to May 2017
Report publication plan to Committee	June 2017
Consultation on plan (publication of plan)	July to August 2017
Submission of plan to Secretary of State (Examination commences)	October 2017
Examination Hearings	January 2018
Consultation on Main Modifications	February to March 2018
Inspectors Report	May 2018
Adoption	August 2018

Updated timetable

- 6.4 A review of the timetable has been undertaken and more detail added to the various stages to improve the accuracy of the overall programme.
- 6.5 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 and reduced staff resources.
- 6.6 The Services Committee of 11 April 2016 agreed to consult on an emerging draft of the PBW together with a number of associated background papers. This consultation took place from 15 April until 27 May 2016. As a result 83 people or organisations responded making a total of 267 comments. These representations are all available to view online through our consultation portal at: <http://wellingborough-consult.limehouse.co.uk/portal/wellingboroughplan/emergingdraft>
- 6.7 Whilst that consultation was taking place various studies were commissioned to test the plan to ensure that it would meet the tests of soundness when examined by the independent inspector. These studies related to viability testing; transport modelling, sustainability appraisal (SA) and habitats regulation assessment (HRA). Final versions of the HRA, SA and viability testing of the emerging plan have been received. Further work is however still being undertaken in respect of transport modelling.
- 6.8 The representations received to the emerging draft raised a number of issues which needed further work before a revised plan could be drafted. These relate to the following areas:
- Open space, sport and recreation
 - Green infrastructure corridors
 - Flood risk management
 - Site specific assessments
 - Town centre car parking
- 6.9 The Environment Partnership (TEP) produced the Open Space, Sport and Recreation Audit and Assessment in November 2015. They have been

undertaking further work on open space and the results of this are expected shortly. Further discussions have taken place with Sport England and again the results of additional work on indoor sport provision are expected imminently. Sport England has also requested a full playing pitch strategy be undertaken to inform sports provision going forward, but agreed that this does not need to form part of the PBW. This would take at least 9 months to deliver (as a result of various playing seasons) and would cost £25,000. A request for additional revenue funding for this work has been submitted. An alternative strategy to deal with sports provision will therefore be included in the plan instead of the standards approach put forward in the emerging draft.

- 6.10 The additional work on green infrastructure and the updated SFRA have been completed. The urban design review of various sites proposed for allocation has also been completed. Some work has been finished in respect of the town centre parking, and further updates are being undertaken on this.
- 6.11 The plan is currently being redrafted to take account of all of these studies and the representations received to the emerging draft. Once the plan is redrafted it needs to be subject to SA and HRA testing again. Background papers are also being prepared in respect of housing, open space, village boundaries and employment. When the plan is published the council is required to produce documentation of the consultation that has been undertaken and how the Duty to Cooperate has been complied with. This is also currently being prepared.
- 6.12 The aim was to get the plan and all supporting documentation finalised ready for consideration by the committee on 13 March 2017, however delays in the supporting evidence has meant that this is not going to be possible. The next Development Committee following this is expected to be in June 2017, the dates will be confirmed following Annual Council in May 2017. If the committee approve the plan at this meeting, consultation is expected to take place immediately after for 6 weeks. The timetable assumes that the plan will then be submitted to the Secretary of State after that consultation with no changes. If changes were made to the plan a further 6 week consultation and potentially a revised sustainability appraisal would be necessary on these. There will be the opportunity for the council to suggest changes that it would consider acceptable to the Inspector as part of the examination process and these would be consulted on as Main Modifications after the examination hearings.
- 6.13 Once the plan is submitted to the Secretary of State for examination the council has little control over the timing of this part of the process; this will be managed by the Inspector. This examination stage is likely to include a hearing. This normally takes place 10 weeks after the plan is submitted. The council is expected to work with the Inspector on drafting the proposed main modifications and will then be required to undertake sustainability appraisal and public consultation (minimum 6 weeks) on these. The Inspector's report will be finalised after the responses to the main modifications and sustainability appraisal are available.

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. A request for additional revenue budget of £25,000 in 2017/18 has been submitted to cover the cost of a Playing Pitch Strategy which has been required by Sport England.

10.2 Staff resources in the Planning Policy and Regeneration team are currently extremely limited. This could affect delivery of the PBW. As a result additional staff resources are being provided through the North Northants Joint Planning Unit. Additional work on neighbourhood plans could also potentially impact on delivery of the PBW; alternative ways of resourcing neighbourhood planning are being investigated.

10.3 A Programme Officer will need to be appointed by the time the plan is submitted. It is however recommended by the Planning Inspectorate that one

is in post to handle the representations at publication stage.

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

Sue Bateman, Senior Planning Officer

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: 30 January 2017

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 the 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.

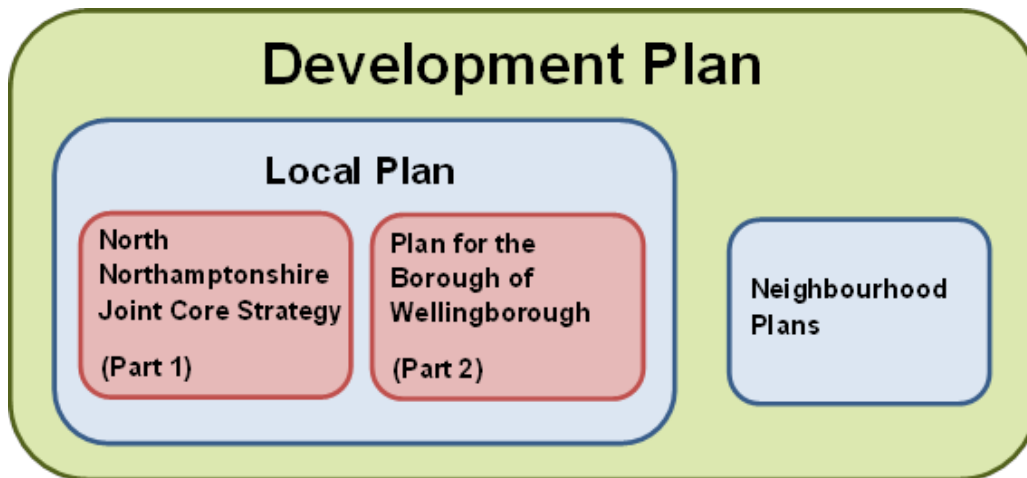
2 The planning system

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 was replaced with the Joint Core Strategy (JCS) in July 2016. The JCS provides 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 The JCS forms 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 and the Wollaston Neighbourhood Plan was made on 20 December 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
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
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Consideration of representations and consultant reports and preparation of plan and supporting documentation	May 2016 to May 2017
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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, together with details of the Neighbourhood Plan policies in force are available here:

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 the 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 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 Resources	Low/Medium Sufficient financial resources are required to prepare Local Plan documents including for consultancy, consultation and the examination process.	Overall resources have been 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	Low/Medium	Ensure that resources are drawn

public interest causes delays	Public interest in the Local Plan can be high during periods of consultation, depending upon policies and allocations.	from across the Planning Policy and Regeneration wider team to deal with representations and consultation events.
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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).
- 7.7 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.
- 7.8 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

7.9 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>

7.10 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.