



Central Bedfordshire
Council
Priory House
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date 01 May 2014

NOTICE OF MEETING

SPECIAL SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE

Date & Time

Monday, 12 May 2014 2.00 p.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: All Members of the Council

(The Council AGM at which the Membership of the Committee will be confirmed will take place on 01 May 2014. As such all Members of the Council have been provided with a copy of the papers).

MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING

AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Members' Interests**

To receive from Members any declarations of interest and of any political whip in relation to any agenda item.

3. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

4. **Petitions**

To receive petitions from members of the public in accordance with the Public Participation Procedure as set out in Annex 2 of Part A4 of the Constitution.

5. **Questions, Statements or Deputations**

To receive any questions, statements or deputations from members of the public in accordance with the Public Participation Procedure as set out in Annex 1 of part A4 of the Constitution.

6. **Call-In**

To consider any decision of the Executive referred to this Committee for review in accordance with Procedure Rule 10.10 of Part D2.

7. **Requested Items**

To consider any items referred to the Committee at the request of a Member under Procedure Rule 3.1 of Part D2 of the Constitution.

REPORTS

Item	Subject	Page Nos.
8	Development Strategy Update To receive an update on activity related to the Development Strategy since January 2013, particularly in relation to housing need and the Joint Strategic Housing Market Assessment.	* 5 - 12
9	Plan Making Programme To receive a report that sets out the scope and timetable for the production of future local plans for Central Bedfordshire, including specific reference to the Development Strategy, the Gypsy and Traveller Local Plan and an Allocations Local Plan.	* 13 - 32

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Meeting: Sustainable Communities Overview and Scrutiny Committee
Date: 12 May 2014
Subject: Development Strategy update
Report of: Cllr Nigel Young, Executive Member for Sustainable Communities – Strategic Planning and Economic Development
Summary: The report presents an update on events related to the Development Strategy since January 2013, in particular related to housing need and the joint Strategic Housing Market Assessment. It outlines the likely changes to the Development Strategy that will be considered by Executive and Council over the coming weeks.

Advising Officer: Jason Longhurst, Director of Regeneration and Business Support
Contact Officer: Richard Fox, Head of Development Planning and Housing Strategy
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

The Development Strategy, as an overarching planning policy document, has the potential to contribute to each of the Council priorities. The main focus of the document is “Enhancing Central Bedfordshire” through planning for the new homes, jobs and infrastructure the area needs while protecting the countryside. However, the document can also help contribute to improved educational attainment and promoting health and wellbeing, through securing appropriate contributions from new development. Infrastructure planning and delivery is a key focus of the Strategy and there is a critical link between adoption of the Development Strategy and implementation of the Community Infrastructure Levy (CIL).

Financial:

1. The report to the Executive on 4 October 2011 included detail on the costs associated with producing a Development Strategy and the costs of not producing one. The Executive agreed that there was a need to produce a Development Strategy, with the associated financial implications.

2. Other than staff costs already built in to the base budget, the main financial cost associated with producing the Development Strategy is consultant's costs in preparing technical studies and the cost of the Public Examination. The latter includes the Planning Inspectorate's costs (around £100,000) and the legal/consultants costs in representing the Council's case (also estimated at around £100,000). Costs at this level can be met from within the Development Planning and Housing Strategy budget already approved by Council. The decision to submit the Development Strategy to the Secretary of State is a function of Council, rather than an Executive function. Incurring the above costs is therefore a consequence of this Council decision. The financial costs associated with producing a Development Strategy were known when Executive committed to the work in October 2011.
3. The scale of the Council's investment should be seen in the context of the scale of new investment (new commercial and retail development as well as residential) into Central Bedfordshire that a Development Strategy will enable. The Development Strategy document will also enable a Community Infrastructure Levy (CIL) to be produced that will help lever in funding for new infrastructure to support development. The cost of plan-making should also be seen against the cost of the alternative approach of fighting public inquiries against inappropriate development.
4. The production of the Development Strategy is also important in terms of New Homes Bonus receipts. The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes – both new build, conversions and long-term empty homes brought back into use. There is also an extra payment for providing affordable homes. In 2014/15 the Council will receive a payment totalling over £6,947,000. This money helps to support the Council's base budget, thus supporting the delivery of services to residents in those areas affected by new housing development. Having an agreed strategy to deliver the right number of new homes and direct these homes to the best locations is critical.

Legal:

5. Once adopted the Development Strategy will be a "local plan" and will form part of the statutory Development Plan and will be the basis for consideration of planning applications. Until this happens the existing adopted documents will continue to set the planning framework.

Risk Management:

6. Failing to adopt a "sound" Development Strategy could lead to a failure to deliver the required levels of housing, jobs and infrastructure proposed for growth and regeneration in the area in a planned way. There is a risk that a planning inspector could find the Strategy unsound and there are numerous recent examples of this across the country. Advice has been taken from government officials, the Planning Inspectorate, the Planning Advisory Service and counsel to help minimise this risk. A risk register is maintained and reviewed on a regular basis as part of the project management of this work.

Staffing (including Trades Unions):

7. Not Applicable.

Equalities/Human Rights:

8. The draft Development Strategy was subject to a specific Equality Impact Assessment prior to the public consultation. The results show that the draft Development Strategy covers a broad range of issues and does so in a way that does not discriminate against particular groups. The overall results were extremely positive in terms of helping to advance equality of opportunity. This Equality Impact Assessment will need to be revised and updated following changes to the Development Strategy. This will be done and the results consulted upon as part of the Publication period later this year.

Public Health

9. The Development Strategy could have a number of benefits in terms of public health and wellbeing. There is a specific section of the document that seeks to summarise the interactions between strategic planning and public health. These include promoting healthy lifestyles through enabling walking and cycling and through appropriate leisure and open space provision. Health infrastructure and securing appropriate developer contributions towards such provision are also important aspects, in association with the Community Infrastructure Levy (CIL).

Community Safety:

10. Various policies within the Development Strategy address community safety issues, particularly those relating to standards for new development.

Sustainability:

11. The Development Strategy has as its underlying basis the achievement and delivery of sustainable development. The Development Strategy has been subject to a specific Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) in order to comply with the relevant regulatory requirements. The results of this work were published for comment alongside the Development Strategy. The SA/SEA work will be revised and updated following any changes to the Development Strategy.

Procurement:

12. Not applicable

RECOMMENDATION(S):

The Committee is asked to consider the contents of this report and the verbal presentation given at the meeting and to make any comments to the Executive to help inform its consideration of a revised Development Strategy.

Reason for Recommendation(s): To enable progress on the draft revised Development Strategy prior to its formal submission to the Secretary of State in August 2014 and during the Examination period.

Background

13. The Development Strategy is a planning policy document that will set out the overall approach to new development in Central Bedfordshire for the period to 2031. It will contain targets for new development, such as new homes and jobs, needed locally in the period and will identify large-scale new development sites, as well as setting out details of the infrastructure needed to accompany such development. The Strategy will also set out detailed policies against which future planning applications will be determined.
14. In addition to the statutory requirements, there are compelling local reasons for producing a strong and proactive planning policy framework. New development within communities can bring many benefits (new homes, jobs, shops, community facilities etc) and a positive framework can act to enable and encourage this development. Similarly, some development proposals bring harmful impacts and planning policies can help bring about mitigation of these impacts or, where the impact cannot be mitigated, enable the Council to resist inappropriate development proposals. Further, the Council's ability to require developer contributions towards infrastructure through the Community Infrastructure Levy (CIL) is dependent on having an adopted strategy in place.
15. Currently there are separate planning policy frameworks for the north and south of Central Bedfordshire. This Development Strategy seeks to draw together for the first time a comprehensive framework for the whole of Central Bedfordshire. Once adopted, the Development Strategy will largely replace the adopted Local Plan (2004) in the south and the Core Strategy and remaining Local Plan policies in the north. The Site Allocations DPD for the north adopted in 2011 will remain in place.
16. The Council's Executive approved a Plan-making Programme for Central Bedfordshire in October 2011. This established the principle of a "Development Strategy" for the area for the period 2011 to 2031. It also proposed a Gypsy and Traveller Local Plan covering the same period, which is being progressed separately.
17. The Council undertook informal consultation in February/March 2012 on the key strategic issues, which fed into a draft Development Strategy that was consulted on between June and August 2012. Executive and Council agreed a Pre-Submission version in November 2012, which was then consulted on for 6-weeks in January and February 2013.

Events since February 2013

18. Submission of the Development Strategy to the Secretary of State for Examination was anticipated to take place in May 2013. However, a number of issues arose that meant submission needed to be delayed.
19. The main reason why submission has had to be delayed was the publication, in April 2013, of updated demographic information by the Office for National Statistics (ONS). This led to a reconsideration of the population and household projections that underpin the Strategy. While the projections were not vastly different for Central Bedfordshire, for Luton the projections were considerably different from those on which the previous version of the Development Strategy was based. Given that Luton's administrative area is tightly bounded and this limits the potential urban capacity, an increase in Luton's household projections has potentially significant implications for the Development Strategy.

20. The Development Strategy is, first and foremost, a plan for Central Bedfordshire. The strategic plan for Luton will be set out in due course by Luton Borough Council.
21. Nevertheless, the National Planning Policy Framework (NPPF) makes it clear that plans should consider how to respond to unmet need from elsewhere. One of the tests of soundness relates to whether the plan is “positively prepared”, meaning:
“the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;” (NPPF, para 182)
22. There is clearly not an absolute requirement to provide housing for other areas but increasing housing provision is a critical element of government policy and this issue cannot be ignored.
23. In addition to providing for unmet housing need, the Duty to Cooperate requires authorities to work together on the process of plan-making, with a view to producing plans that are based on effective joint working on strategic cross boundary priorities. This duty is part of the response to the abolition of Regional Strategies and higher level targets being set. While it is not a “Duty to Agree”, authorities should “leave no stone unturned” in their efforts to co-operate and produce effective plans.
24. Recent Inspector’s conclusions on a number of local plans across the country have made it clear that if the Duty to Cooperate is to act as an effective replacement for Regional Strategies it must be taken seriously. Housing need must be met in full unless there is a genuine reason otherwise, unmet need from elsewhere must be fully considered and authorities must cooperate on plan-making. The most relevant example is that of Aylesbury Vale District Council who have recently withdrawn their plan on the advice of a Planning Inspector who considered that the plan did not meet the duty to co-operate and failed to provide for adequate levels of growth. There are numerous other examples from across the country where similar messages have been received (Coventry, North West Leicestershire and Mid Sussex Councils to name but a few). This Council is not alone in facing difficulties in this respect.
25. What is clear from the above is submitting a plan that either does not acknowledge a substantial unmet need from elsewhere, or does nothing about it is not a viable option. This has been reinforced by informal advice from the Planning Inspectorate.

Strategic Housing Market Assessment update April 2014 and implications

26. The key mechanism for establishing “objectively assessed housing need”, as required by the NPPF, is through production of a Strategic Housing Market Assessment (SHMA). Since mid-2013, officers have been working with colleagues at Luton Borough Council and with consultants, ORS, on a joint SHMA for the Luton and Central Bedfordshire areas. Officers will present the findings of this work at the meeting on 12 May. However, at this stage it is clear that there is a significant increase to the housing requirement for Luton and, under the Duty to Co-operate, this increase has implications for the Development Strategy. In response to this increase, officers will be recommending an increase in housing provision in the Development Strategy.

27. The draft SHMA indicates that Central Bedfordshire's objectively assessed housing need is around 25,500 homes. This need is provided for by the revised Development Strategy. A surplus above this level is recommended that can help to meet Luton's unmet housing need, as required by the NPPF. As mentioned above, the NPPF's requirement is not an absolute requirement to meet unmet housing need from elsewhere but only "where it is reasonable to do so". Officers are recommending an increase in the overall housing provision included in the Development Strategy from the 28,700 homes published in January 2013 to around 30-31,000 homes. This would mean a surplus of around 5,000 homes to help meet Luton's need. This additional provision is an appropriate response to the increasing need in Luton and, together with appropriate provision from other local authorities in the area with links to Luton (either through proximity or through migration/commuting patterns), will ensure local housing need is provided for.
28. The precise details of the increase in housing supply are still being finalised and are subject to the outcome of cross-boundary Member meetings. A verbal report will be given to the Committee on 12 May.
29. The response to the increase in housing requirement is in a number of parts and, in broad terms, is set out below:
- A new "Market-Led Sustainable Development" policy
 - Provision for an Allocations Local Plan to identify further sites
 - Allocation of a new site at Chaul End, emerging from work on a Neighbourhood Plan
30. The proposed new "Market-Led Sustainable Development" policy is a departure from previous planning policy and would allow a certain amount of development to come forward outside of settlement envelopes, where current policy would prevent it. The policy is not a *carte blanche* and the scale of development would be limited and strict criteria applied. In particular, any such development would need to be of the highest design quality. This policy responds to the increase in housing need and, critically, would contribute to the 5-year supply of housing land, a vital requirement if a plan is to be found sound and to avoid planning appeals based on an inadequate 5-year land supply.
31. A new strategic scale site at Chaul End is also being recommended for inclusion in the Development Strategy. In terms of capacity it is smaller than the other sites being specifically identified and is smaller than the indicative threshold of 500 units used elsewhere in the Strategy. However, it has been subject to local consultation through the Neighbourhood Plan process and has received local support. Given the uncertainties involved in the Neighbourhood Plan process it is considered appropriate to identify the site in the Development Strategy at this stage.

32. The proposed Allocations Local Plan is necessary for a number of reasons.
- Only large scale strategic sites are considered for the Development Strategy. Further housing provision across the whole of Central Bedfordshire is likely to be required.
 - Any new allocations in the Green Belt identified in emerging Neighbourhood Plans are likely to require formal allocation through a Local Plan.
 - Designations such as Green Belt infill boundaries and settlement envelopes have not been comprehensively reviewed for many years. Given the NPPF's requirement to seek out opportunities for sustainable development, it is necessary to embark on this process.
 - The 2012 planning regulations require that specific standards for new development cannot be set out in Supplementary Planning Documents, but have to be tested at examination through the Local Plan process.

Other changes to the Development Strategy

33. In addition to changes in relation to housing need and supply the Development Strategy is also being amended to take account of issues arising from representations made and to update the plan since it was published in January 2013.
34. Key changes include:
- i. Clarifying the approach in relation to the Housing Standards Review and its impact on Lifetime Homes standards and the Code for Sustainable Homes etc.
 - ii. Reflecting the recently endorsed Design Guide
 - iii. Incorporating minerals and waste policy elements – such policy was originally to be in a separate document but has now been included within the Development Strategy;
 - iv. Incorporating parking standards from the Design Guide – specific standards for new development need to be within a local plan document rather than as supplementary guidance;
 - v. Incorporating leisure and open space standards from the Leisure Strategy – as above;
 - vi. Updating the site specific policies to reflect progress since last year

Next Steps

35. Agreeing the version of the Development Strategy to be formally submitted to the Secretary of State is a function of Council. This is programmed for the Council meeting on 12 June 2014.
36. Prior to Submission, the draft document must be published for a 6-week period to enable representations to be made. Given the timing of this period over the summer, it is recommended that slightly longer than 6-weeks is allowed. Although the representations made will be summarised by officers, they are ultimately for the attention of the Planning Inspectorate. The format of the consultation is therefore quite formal as it is effectively the pre-cursor to the Examination process. Representations made during this period must relate to whether the Strategy is "sound" i.e. positively prepared, justified, effective and consistent with national policy (taken from paragraph 182 of the National Planning Policy Framework).

37. The estimated timetable for the next stages of the process is set out below:

12 May	Overview and Scrutiny Committee
27 May	Executive
12 June	Full Council
End-June 2014	“Publication” start date
August 2014	“Publication” end date
October 2014	Submission to the Secretary of State
March 2014	Examination hearing sessions start
May 2015	Inspector’s report due
July 2015	Adoption

Planning Guidance in advance of the Development Strategy

- 38. The current timetable assumes adoption of the Development Strategy in July 2015. While the adopted Core Strategy and Site Allocations documents remain relevant in the north of Central Bedfordshire, the Local Plan for the south was adopted in 2004 and in some respects is not consistent with the NPPF.
- 39. It was for this reason, and to avoid a policy vacuum, that the joint Core Strategy for Luton and southern Central Bedfordshire was endorsed for Development Management guidance purposes by Executive in August 2011. Given the progress of time since 2011 and the progress made on the Development Strategy it is considered that a revised Development Strategy would be a better basis for informal planning guidance than the endorsed Joint Core Strategy.
- 40. The Executive, at the meeting on 27 May, will therefore be recommended to endorse for Development Management guidance purposes in the south of Central Bedfordshire the draft revised Pre-Submission Development Strategy, in advance of its formal adoption.

Conclusion

- 41. Members are asked to consider the contents of this report and the verbal presentation given at the meeting and to make any comments to the Executive as it considers a revised Development Strategy.

Appendices:

N/A

Background Papers: (open to public inspection)

Development Strategy for Central Bedfordshire (available to view on the Council’s website at the following address:-

<http://www.centralbedfordshire.gov.uk/planning/strategic-planning/development-strategy.aspx>

Meeting: Sustainable Communities Overview and Scrutiny Committee

Date: 12 May 2014

Subject: Plan-making Programme - the Local Development Scheme

Report of: Cllr Young , Executive Member for Sustainable Communities – Strategic Planning and Economic Development

Summary: The report proposes that Members endorse the Local Development Scheme which sets out the scope and timetable for the production of future local plans for Central Bedfordshire, including specific reference to the Development Strategy, the Gypsy and Traveller Local Plan and an Allocations Local Plan. These documents will refresh, update and roll forward the planning policy framework in Central Bedfordshire.

Advising Officer: Jason Longhurst, Director of Regeneration and Business Support

Contact Officer: Sally Chapman, Development Plan Process Manager

Public/Exempt: Public

Wards Affected: All

Function of: Executive

CORPORATE IMPLICATIONS	
Council Priorities:	
1.	<p>The Plan-Making Programme - Local Development Scheme is the project plan which sets out the timetable for planning documents which are integral to the delivery of three of the Council's priorities</p> <ul style="list-style-type: none"> • Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow. • Promote health and wellbeing and protecting the vulnerable. • Better infrastructure – improved roads, broadband reach and transport.
Financial:	
2.	<p>The scale of the Council's investment in Local Plans should be seen in the context of the scale of new investment in Central Bedfordshire, including commercial and business investment, infrastructural investment and investment in new homes and services that they will enable. In addition, the New Homes Bonus Scheme seeks to provide a powerful local incentive to support the development of new homes. A Development Strategy document will also enable a Community Infrastructure Levy (CIL) to be produced that will help lever in funding for new infrastructure to support development. Grant income from government is available to help resource Neighbourhood Planning.</p>

3. The first phases of the Development Strategy and Gypsy & Traveller Local Plan have been completed. The next phase for these two documents is preparing them for Examination, employing Programme Officers and the Planning Inspectorates costs. The Allocations Local Plan work in 2014/15 will mainly involve officer time and can be met within existing budgets. The Examination should take place in 2016/17.
4. The Medium Term Financial Planning has efficiency saving of £150K on this budget for 2014/15 with a pressure of £150K in 2016/17. The work on the three documents will create a pressure on the budget in 2014/15 and 2015/16 but the service will aim to manage this risk.
5. Producing Local Plans is a statutory requirement and the Medium Term Financial Plan takes into account the requirements both to prepare them and conduct examination hearings into their soundness. Further detailed costs for each of the individual plans are being worked on.

Legal:

6. Planning is a statutory function under various Acts including the Planning and Compensation Act 2004 and Localism Act 2011. Once adopted the documents included within the plan-making programme will form part of the statutory Development Plan and will be the basis for consideration of planning applications. Until this happens the existing adopted documents will continue to set the planning framework.

Risk Management:

7. The process of producing a Development Strategy and other planning policy documents is long and complex and high quality project management and risk management skills will be required. Project teams are in place to oversee the work and risk management is part of the process of management. A risk assessment, along with mitigating actions is contained within the Plan Making Programme.

Staffing (including Trades Unions):

8. Staff resources to undertake this project are largely in place. Any resource required can be accommodated within the existing staff structures and budgets.

Equalities/Human Rights:

9. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
10. The main documents set out in the LDS are each subjected to an Equality Impact Assessment.

Public Health

11. The Development Strategy could have a number of benefits in terms of public health and wellbeing. There is a specific section of the document that seeks to summarise the interactions between strategic planning and public health. These include promoting healthy lifestyles through enabling walking and cycling and through appropriate leisure and open space provision. Health infrastructure and securing appropriate developer contributions towards such provision are also important aspects, in association with the Community Infrastructure Levy (CIL).

Community Safety:

12. The Council has a statutory duty to do all that it reasonably can to address community safety across all of its functions. Plan-making has an indirect influence on community safety, setting out policy to deliver appropriate provision of community infrastructure and to ensure that individual development proposals take account of community safety issues.

Sustainability:

13. Sustainable development is at the heart of all the strategic and local planning documents produced. All Local Plans are subject to a specific Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) in order to comply with the relevant regulatory requirements.

Procurement:

14. Not applicable

RECOMMENDATION(S):

The Committee is asked to:-

1. **Endorse and recommend to Executive to:**
 1. **Support the preparation of the three Local Plans (Development Strategy, Gypsy and Traveller Local Plan and Allocations Local Plan) and other associated documents**
 2. **Agree the attached programme of plan-making which sets out the formal Local Development Scheme for the whole of Central Bedfordshire.**

Background

15. In terms of planning policy there is currently a separate statutory framework between the northern and southern parts of Central Bedfordshire, derived from the arrangements of the legacy authorities. In the northern part of Central Bedfordshire, formerly Mid Bedfordshire District, there is an adopted Core Strategy and Development Management Policies Development Plan Document and a Site Allocations Development Plan Document. In the southern part, previously South Bedfordshire District, there is the South Beds Local Plan Review 2004.

16. Before 1st April 2012, formal responsibility for planning policy making was with the Luton and South Bedfordshire Joint Committee. Following the withdrawal of the Joint Core Strategy in July 2011 and dissolution of the Joint Committee, Central Bedfordshire has been preparing the Development Strategy, a single plan covering the whole of Central Bedfordshire. Similarly, the Gypsy and Traveller Local Plan, currently being prepared, also covers the whole area.
17. The previous Plan-Making Programme, endorsed by Executive on the 4th October 2011, is now out of date for a number of reasons as set out below.

Development Strategy

18. The Development Strategy has been subject to a number of issues which have resulted in delays to the programme set out in the previous Plan-Making Programme. These have all arisen as rapid changes to the planning policy environment and statutory requirements have been introduced by the Government. They include:
 - a) New population projections from the Office for National Statistics indicating a substantially higher housing need in Luton; and
 - b) The implications of the Duty to Cooperate introduced by the Localism Act 2011.

Gypsy and Traveller Local Plan

19. This document has been delayed from its original programme due to the necessity to re-consult as the plan has evolved. In addition, there was a need to carry out a new Gypsy and Traveller Accommodation Assessment, the results of which were received in January 2014.
20. These delays have resulted in a major proportion of previously allocated expenditure falling in 2014/15 instead of 2013/14.

Allocations Local Plan

21. In effect, this will be 'Part 3' of the Local Plan and is intended to, include non-strategic allocations for development, updated or new designations and possibly new standards for development. The need for this Plan is elaborated upon in the Report on the Development Strategy elsewhere on this Agenda.
22. The Executive was advised in 2011 that a more 'localist' approach to site allocations could be embraced in the spirit of the Localism Act, allowing Town and Parish Councils to produce their own Neighbourhood Plans, bringing forward site allocations for housing, employment and community uses which were endorsed by the local community. As Neighbourhood Planning practice has developed, it has become clear that it is not a straightforward process for communities. Legal challenges have been brought against early Neighbourhood Plans and whilst the outcome of these is not known yet, it has stalled production of Neighbourhood Plans in other areas. In addition, it is unlikely that Neighbourhood Plans will be able to allocate land for development in the Green Belt, so any proposed allocations suggested by Neighbourhood Plans in Green Belt may need to be taken forward through the Allocations Local Plan.

23. Central Bedfordshire has seven areas designated for neighbourhood planning so far, but no draft plans have been produced yet. The Council has a statutory duty to support communities in drawing up Neighbourhood Plans. Officers will continue to support existing and new Neighbourhood Plans making use of the government grant available. However Neighbourhood Plans cannot by themselves, be relied upon to achieve the growth required up to 2031 and therefore the Allocations Plan will be the mechanism by which other non-strategic development allocations can be brought forward to help meet local housing requirements not specifically identified in the Development Strategy.
24. In addition, designations such as settlement envelopes and Green Belt Infill Boundaries have not been reviewed for many years in either of the legacy authorities. Similarly, there has been no comprehensive review of Green Belt boundaries, particularly around settlements. In order to achieve the growth in housing likely to be required across Central Bedfordshire, these restrictive boundaries will have to be looked at in detail, particularly in the light of the NPPF's requirement to drive forward sustainable development. The scope of changes to such boundaries will need to be investigated as a first stage of the Allocations Local Plan.
25. Finally, standards for development (such as standards for open space and recreation) are required to be set out in Local Plans, whereas under the previous LDF regime, they could be set out in Supplementary Planning Documents. Some standards have been incorporated into the Development Strategy, however more may come to light and will need to be set out in the Allocations Local Plan.

Conclusion and Next Steps

26. Members are asked to agree the plan-making programme and endorse the production of the three Local Plans.

Appendices:

Appendix – Plan-Making Programme – a local development scheme for Central Bedfordshire.

Background Papers: (open to public inspection)

None

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Appendix



A plan-making programme for Central Bedfordshire

2014

(Local Development Scheme for Central Bedfordshire)

1. Introduction

- 1.1. The Planning and Compulsory Purchase Act 2004 requires each local planning authority to produce a Local Development Scheme (LDS), which is essentially a work programme for the preparation of new planning policy documents. This plan-making Programme represents the LDS for Central Bedfordshire.
- 1.2. This document covers the whole administrative area of Central Bedfordshire. It is the starting point for the community and other stakeholders in order to find out which planning policy documents the Council intends to produce, and the timescale for their preparation.

2. About the area

- 2.1. Central Bedfordshire is a varied area containing a mixture of rural countryside, attractive villages, and small to medium sized towns. It is well connected, being traversed by the M1, A1, A5 and A6 as well as several railways. London Luton Airport is also in close proximity.
- 2.2. Much of the rural area is of high landscape and biodiversity value with extensive tracts of high-grade agricultural land. The Chilterns Area of Outstanding Natural Beauty covers a substantial part of the area while the majority of land outside of the main towns and villages is designated as Green Belt.

3. Policy Framework and the requirement for a new Plan-making Programme

- 3.1. Following the formation of Central Bedfordshire Council as a unitary authority in April 2009, three separate Local Development Frameworks were progressed; one covering the area formerly administered by Mid Beds District Council and one covering Luton and the area formerly administered by South Beds District Council and one for minerals and waste development covering the whole of Central Bedfordshire, Bedford Borough and Luton Borough.
- 3.2. The withdrawal of the joint Luton and South Bedfordshire Core Strategy in 2011 means that the opportunity has arisen to consolidate two of the separate frameworks into one. In the interim, the Development Plan for the former Mid Beds area will consist of the existing adopted Core Strategy and Development Management Policies DPD and Site Allocations DPD. For the former South Beds area, it will consist of the

saved Structure Plan and Local Plan policies. It will also consist of the Adopted Minerals and waste Local Plan (Jan 2014) and the remaining Saved Policies of the M&W Local Plan 2005.

- 3.3. The Localism Act 2011 has changed the nature and process of planning policy. It introduces a change in terminology from Local Development Framework to Local Plan and introduces the new system of Neighbourhood Planning.
- 3.4. In March 2012, the government published the National Planning Policy Framework (NPPF) which replaces almost all existing national planning policy and guidance. The principles of the Local Development Framework (LDF) system remain, but the emphasis in the NPPF is now on each local planning authority (LPA) producing an up to date Local Plan for its area. This can comprise existing adopted development plan documents under the LDF system, or can involve the production of new Local Plan documents, depending on the local context. Existing development plan documents can be reviewed in whole or in part to respond flexibly to changing circumstances.
- 3.5. The NPPF requires Local Plan policies to be up to date to ensure that local planning authorities are well placed in relation to the new presumption in favour of local development. Where policies are out of date or silent on an issue, it may be difficult for the council to use its planning powers to secure the best outcome from proposed development schemes. The Council's Development Strategy will provide such an up to date Local Plan for the area.
- 3.6. The procedure for preparation and review of Local Plans and Supplementary Planning Documents (SPD's) is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.

4. Project Management

- 4.1. In order to ensure that the preparation of policy documents is undertaken in a focussed and coherent manner, a project management approach is being taken to the coordination of the work.
- 4.2. The Gantt Chart at Figure 1 identifies how Local Plan documents will be prepared and when key milestones are expected to be met. Following the Planning Act 2008, it is no longer necessary to include details of proposed Supplementary Planning Documents and other planning documents within an LDS, so only Local Plans are shown in Figure 1.
- 4.3. The project management approach enables the undertaking of clear and accurate monitoring which will inform the Annual Monitoring Report (AMR). This process will feed into the regular review of the Plan-making Programme and ensure that it continues to be relevant and up-to-date.

5. Proposed Local Plan Documents

5.1. This Programme focuses solely on the preparation of three Local Plan documents: the Central Bedfordshire Development Strategy Local Plan, the Allocations Local Plan and the Gypsy and Traveller Local Plan.

Table 1: Central Bedfordshire Development Strategy

Central Bedfordshire Development Strategy	
Role and content	To set out the vision, strategic objectives and spatial strategy for the area up to 2031 and the policies for achieving the strategic vision. This will entail an assessment of general development needs together with the consideration of any necessary Green Belt reviews. It will also incorporate a review of the remaining saved policies from the Minerals and Waste Local Plan as they relate to the Central Bedfordshire area. The identification of strategic-scale development sites will also be considered.
Status	Local Plan
Chain of conformity	General conformity with national planning guidance
Geographic coverage	The entire administrative area of Central Bedfordshire
Projected timetable and milestones	
Commencement (including SA Scoping Report)	September 2011
Evidence Gathering	October 2011 – April 2012
Formal consultation (Regulation 18)	May – June 2012
Consideration of consultation responses and produce revised Plan	July – November 2012
Publication stage (Regulation 19)	December 2012 – February 2013 June – August 2014
Submission to Secretary of State	October 2014
Examination Hearings	March 2015
Receipt of Draft Inspector's Report	May 2015*
Adoption	July 2015
Arrangements for production	
Management arrangements	Decisions will be taken by Central Bedfordshire Council's Executive. Day to day management of process by Head of Development Plan and Housing Strategy.
Resources required	Officers from the Development Plan team with input as necessary from other teams and departments. Consultants may be used for specific aspects of the work.
Stakeholder and Community Involvement	The SCI sets out the standard mechanisms for community involvement. This Local Plan will be prepared in light of the views of the community and other stakeholders

Monitoring and review mechanisms	Monitored on an annual basis as part of the Annual Monitoring Report.
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* If consultation on modifications is required, this may add 2-3 months to the timetable after the Examination hearings

Table 2: Central Bedfordshire Local Plan: Allocations Plan

Local Plan Part 2	
Role and content	To review, boundaries such as Green Belt, Settlement Envelopes etc, allocate non-strategic sites for development across a range of uses for the period up to 2031 and to provide standards for development
Status	Local Plan
Chain of conformity	General conformity with national planning guidance
Geographic coverage	The entire administrative area of Central Bedfordshire
Projected timetable and milestones	
Commencement (including SA Scoping Report)	September 2013
Evidence Gathering	September – September 2015
Formal consultation (Regulation 18)	October - November 2015
Consideration of consultation responses and produce revised Plan	December 2015 – April 2016
Publication stage (Regulation 19)	May – June 2016
Submission to Secretary of State	September 2016
Examination Hearings	January 2017
Receipt of Draft Inspector’s Report	April 2017
Adoption	July 2017
Arrangements for production	
Management arrangements	Decisions will be taken by CBC Executive. Day to day management of process by Head of Development Plan and Housing Strategy.
Resources required	Officers from the Development Plan team with input as necessary from other teams and departments. Consultants may be used some aspects of work.
Stakeholder and Community Involvement	The SCI sets out the standard mechanisms for community involvement. This Local Plan will be prepared in light of the views of the community and other stakeholders
Monitoring and review mechanisms	Monitored on an annual basis as part of the Annual Monitoring Report.

Table 3: Gypsy and Traveller Local Plan

Gypsy and Traveller Local Plan	
Role and content	To identify the Councils approach to the provision of additional Gypsy and Traveller pitches and sites, including the allocation of new sites if required.
Status	Local Plan
Chain of conformity	General conformity national planning guidance
Geographic coverage	The entire administrative area of Central Bedfordshire
Projected timetable and milestones	
Commencement (including SA Scoping Report)	January 2012
Evidence Gathering	February – September 2012
Formal consultation (Regulation 18)	October - November 2012
Consideration of consultation responses and produce revised Plan	December 2012 – April 2013
Publication stage (Regulation 19)	May – June 2013
Submission to Secretary of State	June 2014
Examination Hearings	September 2014
Receipt of Draft Inspector's Report	December 2014
Adoption	March 2015
Arrangements for production	
Management arrangements	Decisions will be taken by CBC Executive. Day to day management of process by Head of Development Plan and Housing Strategy.
Resources required	Officers from the Development Plan team with input as necessary from other teams and departments. Consultants may be used for some aspects of work.
Stakeholder and Community Involvement	The SCI sets out the standard mechanisms for community involvement. This Local Plan will be prepared in light of the views of the community and other stakeholders
Monitoring and review mechanisms	Monitored on an annual basis as part of the Annual Monitoring Report.

5.2. In preparing these policy documents, the Council will have regard to a number of different strategies. These include the Sustainable Community Strategy (SCS) and others covering topic areas such as education, health, social inclusion, waste, biodiversity, recycling and environmental protection, local housing strategies and transport plans.

5.3. In order to inform the preparation of policy documents, the Council has undertaken a large number of background technical studies. These will be refreshed and updated periodically as necessary.

5.4. The Council will seek to work closely with neighbouring authorities on the preparation of policy documents. Technical studies maybe undertaken jointly where this is deemed to be appropriate.

6. Other Documents

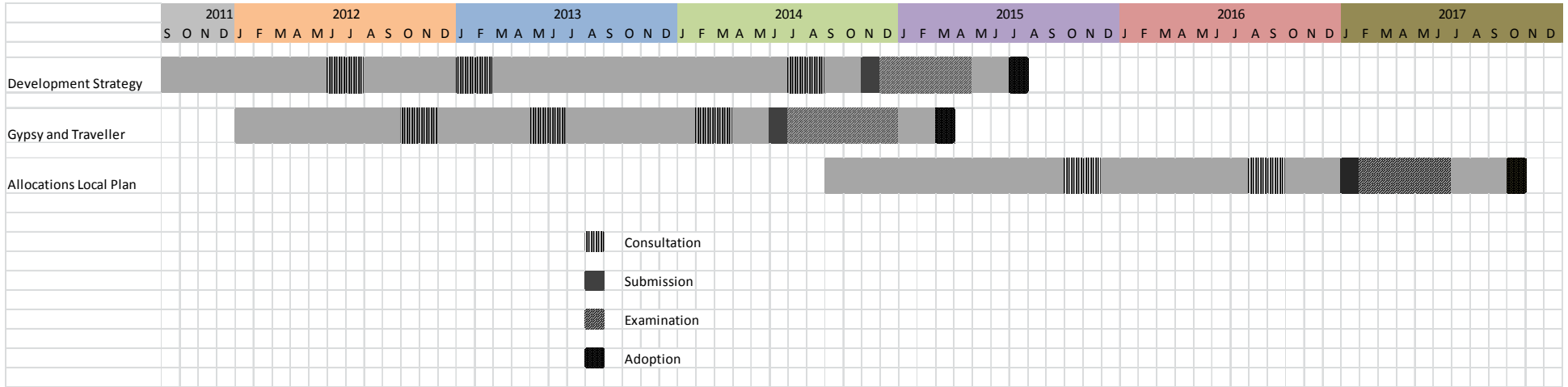
6.1. Other documents will be published to complement and add detail to the Local plan documents the table below sets out a range of documents, but is not exhaustive.

Table 4:Other documents

Document	Purpose	Status
Policies Map	To illustrate geographically the adopted policies and proposals within adopted Local Plans and Neighbourhood Plans	A new Policies Map will be published every time a Local Plan or Neighbourhood Plan is adopted.
Statement of Community Involvement	This document sets out the standards and approach to involving the community and stakeholders in the production of policy documents and in the Development Management process.	The current SCI was adopted in October 2012
Annual Monitoring Report	To assess progress in preparing planning documents and monitor progress in planning policies, housing, employment and other development.	Each Monitoring Report covers the period from April to March and will be published each year
Design for Central Bedfordshire: A Guide for Development	A document which gives detailed design principles to ensure that all development in the area is of high quality in the broadest sense.	An adopted SPD Guide is in place and is currently being reviewed.
Community Infrastructure Levy (CIL) Charging Schedule	To set out the standard levy which the local authority will be applying to some developments and to define the infrastructure projects, which it is intended to fund.	
Planning Obligations Strategy	To set out the requirements and direct the allocation and spending of money raised through development.	A Supplementary Planning Document for each of the former districts, Mid Bedfordshire and South Bedfordshire has been adopted

Neighbourhood Plans	Parish and Town Councils can opt to produce a Neighbourhood Plan or Neighbourhood Development Order to provide for development in their parish.	If a Neighbourhood Plan is successful at Examination and passes a local referendum, CBC will adopt the document as part of the development plan.
Masterplans, Development Briefs and Framework Plans	To provide more details for the guidance of development on allocated sites	To be produced, usually by the developer, as sites begin to come forward.
Housing Supplementary Planning Document	To set out the type of housing the Council wishes to see in implementation of its housing numbers	SPD
Environmental Enhancement Strategy	<p>To provide a cohesive guide to the approach the Council wishes to take on environmental matters through a compendium of existing and new documents and guidance. This includes:</p> <ul style="list-style-type: none"> - Guidance for Renewables, Sustainable Urban Drainage systems (SUDs) and any other guides relating to the environment - Refreshed Landscape Character Assessment - Studies linking environment to health and economic benefits - Resource efficiency (energy and water) studies and toolkits. - Renewables capacity study. 	Will be produced as a series of documents. Some of the associated documents will hold status as being endorsed as guidance to inform planning decisions and some as SPD.

Figure 1: Timeline for plan preparation



7. Risk Assessment

7.1. An analysis has been completed of the principal tasks associated with undertaking the preparation of planning policy documents. These risks, listed in Table 5 below, have been taken into consideration in devising this Programme and will be closely monitored.

Table 5: Key risks and mitigation measures

Key Risks/Owner	Action to Mitigate Risk and Comments	Risk Level
Challenging time-scales for preparing policy documents	<ol style="list-style-type: none"> Careful project management and regular review If necessary, adjustment of Programme through annual review. Prioritisation of other work <p>Uncertainty factors remain – e.g. the level of representations submitted on documents, time taken in public examination and reporting time, or if new issues arise requiring other documents to be prepared or the diversion of staff.</p> <p>Other factors identified in this assessment may also lead to delay to the timescales.</p> <p>There is no real slack in the timetable.</p>	Medium
Premature planning applications for sites resulting in staff being redeployed to deal with time-consuming appeals	<ol style="list-style-type: none"> Regular monitoring and review of progress with a view to delivery on schedule If necessary, allocate relevant officer(s) and/or appeals consultants. 	High
Too few staff, staff turnover, level of experience of staff and strong reliance on consultants	<ol style="list-style-type: none"> Scope for flexible use of staff from other teams is limited Recruit additional staff <p>Current difficulties in recruiting experienced staff</p>	Medium
Previously developed sites not being redeveloped because of lack of investment in essential infrastructure	<p>Continue to exert pressure on government, Highways Agency and other bodies to ensure that essential infrastructure is in place and other blockages to development are removed to facilitate delivery.</p> <p>Current market downturn affects all development in the short term.</p>	High
Financial	Regular budget monitoring.	Medium

resources		
Capacity of Planning Inspectorate (PINS) and other agencies to support the preparation of documents	Provide early warning to PINS and other agencies of timescales and requirements and develop good relationships with agencies through consultation.	Medium
Ensuring 'Soundness' of documents	Through preparing a good evidence base, good dialogue with the community/stakeholders in line with the SCI, regular liaison with Counsel and CLG.	Low
Legal Challenge	Through ensuring preparation of 'sound' documents.	Low

- 7.2. Plan-making bodies must prepare an Annual Monitoring Report (AMR) to assess their implementation of the plan-making, and the extent to which plan policies are being achieved. Such review will assess progress against targets and milestones in the Programme, with appropriate action being taken in the light of findings.
- 7.3. Changes to the Plan-making Programme will be reported in the AMR with complete revisions to the Programme only made where necessary.

Glossary

Development Plan: the Local Plan Documents together with any adopted Neighbourhood Plans constitute the statutory development plan.

Local Development Framework (LDF): a portfolio of documents – it consists of Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Annual Monitoring Reports

Local Plan: The formal document the set out the planning policy in an area. May be more than one volume.

Development Plan Documents (DPD): a name given to a range of policy plans that are subject to independent examination, and are shown geographically on an adopted Proposals Map (discussed below).

Site Allocations: allocations of sites for specific or mixed uses or developments to be contained in Local Plan documents. Policies will identify any specific requirements for individual proposals.

Development Management Policies: these constitute a suite of criteria-based policies, which are required to ensure that all development within an area meets the spatial vision and objectives set out in the Core Strategy. They may be included in any Local Plan or form a standalone document.

Policies Map: the adopted policies map illustrates on a base map at a registered scale all the policies contained in Local Plan documents, together with any saved policies. It must be revised as each new Local Plan or Neighbourhood Plan is adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted policies map accompany submitted local plan documents in the form of a submission policies map.

Supplementary Planning Documents (SPD): provide supplementary information in respect of the policies in Local Plan documents or a saved policy. They do not form part of the Development Plan and are not subject to independent examination.

Annual Monitoring Report (AMR): A public report to be produced by local authorities to assess their progress on implementation of the LDS and the effectiveness of the Local Plans in terms of policy achievement.

Sustainability Appraisal (SA): a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all Local Plans

This process incorporates the requirements of the Strategic Environmental Assessment Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

Examination: a local planning authority must submit a Local Plan for independent examination to the Secretary of State, publish a notice and invite representations, to be made within a specified period of at least six weeks.

Neighbourhood Planning: In CBC the bodies who can produce neighbourhood plans are Town and Parish Councils. There are two types of documents that can be produced. Neighbourhood Plans which may allocate land for development and/or include policies against which planning applications are judged and Neighbourhood Development Orders which can grant planning permission for a specific type of development.

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