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**Meeting:** Executive  
**Date:** 4 October 2011  
**Subject:** A new Plan-making Programme for Central Bedfordshire  
**Report of:** Cllr Ken Matthews, Executive Member for Sustainable Communities - Strategic Planning and Economic Development  
**Summary:** The report sets out the scope and timetable for the production of future development plans for the Central Bedfordshire area, including specific reference to a new "Development Strategy" document and a Gypsy and Traveller Plan. These documents will, as necessary, refresh, update and roll forward the existing planning policy framework in Central Bedfordshire. Members are recommended to endorse the programme of work, attached at Appendix A.

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**Advising Officer:** Alan Fleming, Acting Director of Sustainable Communities  
**Contact Officer:** Trevor Saunders, Assistant Director Planning  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Executive  
**Key Decision** Yes  
**Reason for urgency/ exemption from call-in (if appropriate)** N/A

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

The Council's priority to manage growth effectively relies on an overarching plan to direct development to the most appropriate areas and to set the principles by which development will be managed. The proposed Development Strategy and other elements of the plan-making programme will therefore be a key part of the Council's approach to new development.

### **Financial:**

As previous experience shows, plan-making is expensive and considerable resources will need to be devoted in order to achieve a sound plan. However, 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. In particular, 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.

The cost of plan-making should also be seen against the cost of the alternative approach of fighting public inquiries against inappropriate development. It is also worth noting that the previous plan-making work for Central Bedfordshire will provide an excellent foundation from which to start and will help minimise the extent of new work necessary.

In terms of new budget provision, producing the suggested new plans is likely to cost in the region of £300,000 per year for the next three years. This is the amount estimated based on an initial assessment of the work required and experience of previous plan-making activities in the north and south of Central Bedfordshire. In the early part of plan preparation expenditure is likely to focus on the costs of organising and undertaking consultation activities and evidence gathering. While some of the work can be undertaken in-house, consultants will need to be brought in for particular technical areas such as retail assessments and economic modelling where specific skills and expertise are required. Later in the project expenditure will revolve around preparing the document for Public Examination and the Planning Inspectorate's costs of the Examination and the Inspector's report. There may also be expenditure related to Neighbourhood Plans being produced, particularly the local referenda needed. While Central Government funding is available this will be limited and may not cover the full costs of producing plans. The Council will need to take a view at some stage on what role it will play in Neighbourhood Plans and what funding it is prepared to make available to local communities.

Further details of costs are being worked up alongside project plans for the individual plans produced, which will set out the necessary steps in more detail than the Plan-making Programme.

The additional cost has been identified as a budget pressure in the Medium Term Financial Plan from 2012/13 onwards for three years. Provision will also be needed to allow for the varying profile of costs throughout the period such as the high start-up costs of beginning evidence creation and the high final cost of the Planning Inspectorate's Public Examination costs.

#### **Legal:**

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.

Until 31 March 2012, the Luton and South Bedfordshire Joint Committee, (and not Central Bedfordshire Council) is the 'plan-making' authority for the Luton and southern Central Bedfordshire area and it will therefore be necessary to seek the agreement of the Joint Committee to this new programme of plan-making in the south of the Council area.

#### **Risk Management:**

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. A project team is being put together to oversee the work.

**Staffing (including Trades Unions):**

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:**

The plans listed in the programme of plan-making will be subject to a specific Equalities Impact Assessment in order to comply with the relevant regulatory requirements.

**Community Safety:**

Planning policy can have an indirect influence on community safety through coordinating appropriate provision of community infrastructure and ensuring that individual development proposals take account of community safety issues.

**Sustainability:**

The new Development Strategy will have as its underlying basis the achievement and delivery of sustainable development. The plans listed in the programme of plan-making will be subject to a specific Sustainability Appraisal/Strategic Environmental Assessment in order to comply with the relevant regulatory requirements.

**Summary of Overview and Scrutiny Comments:**

Recommendations to the Executive from Sustainable Communities Overview and Scrutiny Committee meeting on 13 September 2011:

1. that the submission draft Gypsy and Traveller Document for the north of Central Bedfordshire, together with the underlying evidence base, be endorsed for development management purposes;
2. that all practicable means be taken to shorten the plan-making programme for the production of a Gypsy and Traveller Plan for Central Bedfordshire to the minimum necessary to comply with legislative requirements; and
3. that further details should be provided of the budget pressure of £300,000 identified in the Medium Term Financial Plan from 2012/13 per year for the next three years to produce the plans set out in the programme.

*[In relation to recommendation 3, further information has been included within the "Financial Implications" section above.]*

**RECOMMENDATIONS:**

1. that the Executive supports the preparation of the following plans:
  - Development Strategy
  - Gypsy and Traveller Plan
  - Site Allocations Plan and/or Neighbourhood Plans as appropriate;
2. that the Executive notes the attached programme of plan-making, which will formally represent the Local Development Scheme for Central Bedfordshire;

- 3. that, in respect of the northern part of Central Bedfordshire:**
- a) the Executive agrees the programme of plan-making for formal submission to the Secretary of State and, following approval, brings the programme into effect;**
  - b) the Director of Sustainable Communities in consultation with the Executive Member for Sustainable Communities - Strategic Planning and Economic Development, be authorised to make any minor changes to the programme of plan-making, both prior to formal submission and in response to any comments made by the Secretary of State.**
- 4. that, in respect of the southern part of Central Bedfordshire, the Executive recommends to the Luton and South Bedfordshire Joint Committee that it agrees the programme of plan-making for formal submission to the Secretary of State and, following approval, brings the programme into effect.**

*Reason for Recommendation(s): To set the scope and timetable for future plan-making in Central Bedfordshire.*

### **Executive Summary**

The report sets out the scope and timetable for future plan-making activity in the Central Bedfordshire area, including specific reference to a new "Development Strategy" document and a Gypsy and Traveller Plan. These documents will, as necessary, refresh, update and roll forward the existing planning policy framework in Central Bedfordshire. Members are recommended to endorse the attached programme of work.

### **Background**

1. In terms of planning policy there is currently a difference in approach between the northern and southern parts of Central Bedfordshire, derived from the arrangements of the legacy authorities. In the northern part of Central Bedfordshire there are adopted Core Strategy and Development Management Policies, Site Allocations Development Plan Documents (DPDs) and an emerging Gypsy and Traveller DPD which together provide a comprehensive development plan for that part of Central Bedfordshire.
2. In the southern part of Central Bedfordshire, formal responsibility for planning policy-making currently lies with the Luton and South Bedfordshire Joint Committee. The Joint Committee resolved on 29 July 2011 to write to the Secretary of State requesting a withdrawal of the submitted Joint Core Strategy. The reports considered by Central Bedfordshire Council's Executive on 12 July and 23 August 2011 provided more background on this issue. Providing a new approach to planning policy documents would have been necessary from 1 April 2012 in any event. However, the recent decision by the Joint Committee has created an increased impetus to proceed with single development plan coverage for the whole of Central Bedfordshire.

## **A changing national policy context**

3. The Government has recently published a draft National Planning Policy Framework (NPPF), a document which seeks to radically condense the current suite of planning policy statements, guidance and circulars into a single streamlined document. It is intended to reflect the Government's top priority to promote sustainable economic growth and jobs and to increase the overall supply of housing. The Framework introduces a strong presumption in favour of sustainable development which will prevail where development plans are not up-to-date. The Framework also maintains the importance of the Green Belt and states that boundaries should only be altered in exceptional circumstances. The final NPPF is expected to be in place before the end of the year.
4. The Localism Bill, due to be enacted later this year, introduces a series of planning reforms including the abolition of Regional Strategies, new neighbourhood plans, the community right to build and some changes to the Community Infrastructure Levy.
5. An important element of the Localism Bill is the "duty to cooperate". The duty extends to local authorities and other service providers and is intended to ensure a joined-up approach to plan-making across administrative boundaries. In large part, the new duty is a response to the void left by the abolition of the regional and sub-regional tiers of the planning system, but it is also a recognition that key planning issues require a response that sometimes transcend administrative boundaries. The duty is likely to require a high level of cooperation on evidence gathering and plan-making between bodies on an ongoing basis through preparation of the plan.
6. This duty will also be important to Central Bedfordshire because of the geography of the area. Large settlements and their centres of commercial activity lie outside of Central Bedfordshire but exert a strong influence on it. Any plan for Central Bedfordshire needs to recognise the influence of surrounding areas and the realities of the employment and housing markets. Close co-operation on issues such as employment land, retail, housing provision and transport infrastructure will therefore be important.
7. Informal discussions have already taken place with many of the relevant parties. More formal arrangements, including Member discussions, will need to be put in place with the surrounding authorities, notably Bedford Borough Council, Milton Keynes Council and Luton Borough Council, building on existing or providing new joint working arrangements.

## **A new approach for Central Bedfordshire**

8. In order to create a single planning framework for Central Bedfordshire the attached programme of work suggests a collection of new planning documents for the whole of the area should be produced by the Council covering the period to 2031. The attached document will constitute the Local Development Scheme (LDS) for Central Bedfordshire in terms of the regulatory requirements.

9. It is important that the new documents cover the whole of the Central Bedfordshire area. The previous arrangement, whereby Central Bedfordshire was split in two for plan-making purposes, was appropriate as an interim measure while the Joint Committee continued with the joint plan for growth in Luton and southern Central Bedfordshire. However, with plan-making responsibilities returning to Central Bedfordshire Council it is important and appropriate that the area is treated as a whole.
10. The main planning document proposed is a new "Development Strategy" document which will set out the overarching spatial strategy and development principles for the area together with more detailed policies to help determine planning applications.
11. The Development Strategy will address largely similar issues to those in the Core Strategy and Development Management Policies in the north, but will also consider the allocation of strategic development sites in the south. The main elements of the Development Strategy will be:
  - the strategic objectives for the area;
  - an overarching strategy for the location of new development;
  - the scale of new employment, housing and retail provision;
  - the identification of new strategic scale development sites;
  - the extent of new infrastructure required (linked to the proposed Community Infrastructure Levy (CIL));
  - the key areas within Central Bedfordshire where development will not be appropriate and where green infrastructure and biodiversity interests will take priority; and
  - a set of detailed policies to guide the consideration of new development proposals.
12. The indicative timetable shown on the attached programme shows consultation on a draft plan around next May with formal adoption in early 2014.
13. During this process it will be important not to undermine or diminish the important planning policy work already undertaken for the area, which will remain in place until it is formally replaced. However there will be an opportunity to refresh this work in light of the new circumstances, the new plan area and the aspirations for Central Bedfordshire.
14. For the northern part of Central Bedfordshire the new Development Strategy document will refresh and roll forward the existing adopted planning policy framework. However, the decision to undertake a new plan for Central Bedfordshire does not affect the validity of the adopted documents in the north of the area, which will continue to be the starting point and main consideration for development proposals. These adopted documents will remain part of the statutory Development Plan until they are formally replaced by the adoption of the new strategy.

15. For the southern part of Central Bedfordshire, the Development Strategy will replace the adopted Local Plan (adopted in 2004) and can utilise the existing evidence produced as part of work on the joint Core Strategy prepared by the Joint Committee. Until a new Development Strategy is adopted however, the Local Plan and joint Core Strategy, which was recently endorsed for Development Management purposes, will continue to set the planning context for decisions on planning applications.
16. In order to set out the opportunities for public involvement in the Development Strategy and other plans the Statement of Community Involvement (SCI) will also need to be updated and applied to the whole of Central Bedfordshire. This document is currently being updated and will be published for consultation in due course. Member scrutiny will take place through the Sustainable Communities Overview and Scrutiny Committee and/or the Development Strategy Task Force.

### **Non-strategic elements of the programme**

17. Aside from the Development Strategy there is a need to address other more detailed aspects of planning policy. Provision for the Gypsy and Traveller and Travelling Showpeople communities is also an issue that might usefully be separated out from other aspects of the programme. Local authorities are required to assess the accommodation needs of Gypsies and Travellers alongside the settled population and to develop a strategy that addresses any identified unmet need.
18. Recent Government guidance re-emphasises the importance of delivering Gypsy and Traveller pitches in line with local need and has sought to mainstream provision alongside other community requirements. The Development Strategy document will therefore need to set the context for future Gypsy and Traveller and Travelling Showpeople provision. However, the consideration of detailed sites is something that can more appropriately be dealt with through a planning document dedicated to this issue.
19. Significant work on the identification of Gypsy and Traveller sites has already been undertaken in the north of Central Bedfordshire and rather than discard these advances in the provision of sites it is proposed that this work is banked and helps to underpin the new document for the whole of Central Bedfordshire Council. To further provide assurance in the north of Central Bedfordshire it may be appropriate to endorse the work undertaken to date on the preparation of the Development Plan Document for development management purposes until such time as the new district wide document is in place. Members are therefore asked to support the preparation of a Central Bedfordshire-wide Gypsy and Traveller plan to deliver the combined pitch requirement for the northern and southern parts of Central Bedfordshire to 2031.
20. In terms of the allocation of other non-strategic sites, the previous approach was to produce a separate Site Allocations plan that sought to identify suitable non-strategic sites for housing, employment and other uses. In the north the Site Allocations DPD was adopted in April 2011 and progress towards a similar document in the south was in its early stages.

21. However, changes to the Localism Bill and the National Planning Policy Framework (NPPF) mean that an alternative approach might need to be considered where a Site Allocations document was not produced. Instead, the alternative could be to enable a more “localist” approach to be considered whereby individual parishes or neighbourhoods bring forward potential development sites through neighbourhood plans, in accordance with the Development Strategy. Guidance would be provided for neighbourhoods through the new Development Strategy document while the actual allocation is dealt with at the local level in new Neighbourhood Plans. Officers are still exploring this option and it will need further consideration once the Localism Bill is enacted and the NPPF agreed. At this stage, a separate Site Allocations plan is not included in the plan-making programme but one could be added at a later stage should it be required.

### **Plan-making responsibility**

22. Up to 31 March 2012, the Luton and South Bedfordshire Joint Committee remains the Local Planning Authority for plan-making purposes in southern Central Bedfordshire. This programme of planning policy work will therefore need to be considered and agreed by the Joint Committee or its Sub-Committee. It is therefore recommended that Members agree the programme of work insofar as it relates to the northern part of Central Bedfordshire and recommend to the Joint Committee, or its Sub-Committee, that it does the same for the southern part.

### **Conclusions**

23. Members are recommended to endorse the attached programme of plan-making for Central Bedfordshire, including a Development Strategy document and a Gypsy and Traveller plan.
24. The programme of plan-making must be submitted to the Government (DCLG). It will come into effect four weeks after submission unless the Secretary of State intervenes or asks for more time. When it takes effect the Council is required to make copies available at the Council offices and publish it on the website.
25. Members should note the potential for significant changes to emerge through the Localism Bill and the new regulations that will support the Bill, as well as the new NPPF. It might be that the attached programme needs further reflection early next year when the implications of these changes for plan-making become clear. However, on the basis of the current situation Members are recommended to endorse the attached programme.

### **Appendices**

Appendix A - Central Bedfordshire Plan-making Programme

**Background Papers:** (open to public inspection)

North Central Bedfordshire Core Strategy and Development Management Policies DPD

North Central Bedfordshire Site Allocations DPD

Luton and southern Central Bedfordshire Core Strategy (Pre-Submission version, November 2010)

**Location of papers:** [www.centralbedfordshire.gov.uk/environment-and-planning/planning/ldf](http://www.centralbedfordshire.gov.uk/environment-and-planning/planning/ldf)