
Meeting: Sustainable Communities Overview and Scrutiny Committee
Date: 16 May 2012
Subject: Draft Development Strategy for Central Bedfordshire
Report of: Cllr Nigel Young, Executive Member for Sustainable Communities – Strategic Planning and Economic Development
Summary: The report introduces the draft Development Strategy for Central Bedfordshire. The views of the Committee are sought on the document generally and in relation to a series of specific questions in order to advise the Executive Member in exercising his delegated authority to approve the document for public consultation.

Advising Officer: Richard Fox, Head of Development Planning and Housing Strategy
Public/Exempt: Public
Wards Affected: All in Central Bedfordshire
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

1. The Development Strategy, as an overarching planning policy document, has the potential to contribute to each of the five Council priorities. The main focus of the document is to achieve the Council Priority to manage growth effectively, but the document also deals with the remaining 4 priorities to some degree.

Financial:

2. 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.

In terms of this current report, the Committee is being asked for its view on the content of the draft document prior to public consultation. There is a financial cost of the public consultation but this consultation would need to take place whatever the final content of the document.

Legal:

3. Once adopted the Development Strategy 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:

4. 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 are required. A Project Board has been established to oversee the work.

Among the risks being monitored by the Board is the risk of being inundated by a larger number of comments through the consultation process, which could jeopardise the timetable moving forward. This has been managed by the use of the stakeholder workshops, which helped to establish the key stakeholder issues, and ongoing internal consultation. There remains the ongoing requirement to comply with various legislative requirements in respect of public consultation and separate legal advice is being sought in this respect.

Staffing (including Trades Unions):

5. Not Applicable.

Equalities/Human Rights:

6. The Development Strategy will be subject to a specific Equality Impact Assessment and the results will be reported back to Members before the document is submitted.

Public Health

7. 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). The Assistant Director of Public Health has been specifically asked for views on the draft document and any changes proposed can be incorporated prior to public consultation and can be reported verbally to the meeting.

Community Safety:

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

Sustainability:

9. 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 in order to comply with the relevant regulatory requirements. The initial results of this work for key policy areas are attached at appendices B to E. The full appraisal work will be published for comment alongside the Development Strategy.

Procurement:

10. Not applicable

RECOMMENDATION(S):

That the Sustainable Communities Overview and Scrutiny Committee consider the draft Development Strategy at Appendix A and in particular provide guidance to the Executive Member for Sustainable Communities (Strategic Planning and Economic Development) in respect of the specific questions (a) to (j) listed in paragraph 26.

Background

- 11 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.
12. Currently there are separate planning policy frameworks within Central Bedfordshire. The northern (former Mid Bedfordshire District Council) area has an adopted Core Strategy and Development Management Policies Development Plan Document (DPD) and an adopted Site Allocations DPD. Work on a Gypsy and Traveller DPD was underway but progress has now been stopped pending work on a Central Bedfordshire-wide Gypsy and Traveller Plan.
13. For the southern (former South Bedfordshire District Council) area a joint Core Strategy was being produced with Luton Borough Council by the Luton and South Bedfordshire Joint Committee. This joint Core Strategy was withdrawn in July 2011. As of 1 April 2012, Central Bedfordshire Council became the plan-making authority for the southern part of Central Bedfordshire and formal powers transferred from the Joint Committee. In the absence of an adopted Core Strategy, the policy context is set mainly by the South Beds Local Plan Review adopted in 2004.
- 14 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 Plan covering the same period.

Why are we preparing a Development Strategy?

15. There are a number of reasons/stimuli for undertaking a Development Strategy for Central Bedfordshire at this point. While Central Bedfordshire Council would have had to consider a Central Bedfordshire-wide strategy at some point following the end of the Joint Committee, the withdrawal of the joint Core Strategy has hastened this process. The subsequent reliance on the Local Plan (adopted in 2004) and the potential for major planning applications to be made in the next 6-12 months means that there is a time imperative to get the Development Strategy in place as quickly as possible. In order to provide some policy guidance in the interim period, Central Bedfordshire Council's Executive endorsed the joint Core Strategy as guidance for Development Management purposes on 23 August 2011. However, this is only a temporary measure and it will be important to get a new strategy in place quickly.
16. A further driver for producing a Development Strategy quickly is the recent loss of national Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs). This detailed national policy has now been replaced by the National Planning Policy Framework (NPPF). The Council's Development Management teams used this guidance to inform decisions on planning applications and its loss has left a policy "hole". It is therefore important to have replacement policy wording, at least in draft form, as soon as possible.
17. In the absence of a Development Strategy the Council does not have the level of control over development it would otherwise have. This means the positive, enabling framework will not be in place to secure the development the local communities need. Similarly, the Council's power to insist on mitigation measures or to resist development proposals will be considerably reduced.
18. A further time pressure is the need to have a Community Infrastructure Levy (CIL) in place by April 2014. CIL is now the preferred method for collecting pooled contributions to fund infrastructure and the continuing use of S106 or planning obligations tariffs (such as the two SPDs adopted for Central Bedfordshire) will become problematic. From April 2014, there will be a scaling back of the use of S106 obligations. The local authority will only be able to use S106 in limited circumstances and will be restricted by the limitations on pooling. In addition the local authority will no longer be able to use the Planning Obligations tariff. Any delays to the Development Strategy beyond April 2014 could have significant implications in terms of a delay to CIL and therefore potentially lost developer contributions.

Scope of the Development Strategy

19. The main functions of the Development Strategy are to establish the level of need for development such as housing, employment land and retail and develop a strategy for accommodating this new development, including the allocation of large-scale new sites. It will also set out detailed policies to help determine planning applications.

The Development Strategy will not identify smaller scale sites as it is hoped these can be provided for through Neighbourhood Plans. Gypsy and Traveller sites will also not be included as there is a specific plan to address this issue.

Informal stakeholder engagement – February/March 2012

20. Although the Plan-making Programme described the first stage of consultation in May/June, it was felt to be important to gain early feedback from stakeholders on the key issues in order to inform production of the draft Strategy. A period of informal consultation was therefore undertaken in February and March to seek feedback on the strategic issues facing Central Bedfordshire, such as the number of new homes and jobs to be planned for and broadly where they should go.
21. This informal consultation took the form of four stakeholder workshops during March (two at Watling House and two at Priory House), together with a questionnaire (both online and in paper form). The results and the priorities expressed have informed the draft version of the Development Strategy. A Consultation Statement setting out what consultation has been undertaken and how it has informed the Strategy will be published alongside the draft Strategy in June.

Timetable and next steps

22. The time pressures and drivers to have a Development Strategy in place quickly have been laid out above. The timetable set out in the Plan-making Programme was therefore necessarily compressed. The timetable is as follows:
23.
 - Evidence gathering – October 2011 until April
 - Consultation on draft plan – May/June 2012
 - “Publication” stage – Dec 2012
 - Submission to Secretary of State – May 2013
 - Examination hearing sessions – September 2013
 - Draft Inspector’s report – December 2012
 - Adoption – February 2014
24. Subject to the comments made by this Committee and formal sign-off by the Executive Member under delegated authority, the public consultation is expected to begin on 11 June for a period of six weeks. This consultation will be undertaken in accordance with the Council’s Statement of Community Involvement and the relevant regulations covering consultation activity.
25. Following the consultation, officers will need to consider and analyse any comments made and any consequential changes needed. A report is due to go to Executive in November with the revised “Pre-Submission” version – essentially the Council’s final version – which will be published for a six week period in December, during which formal representations can be made that will ultimately be considered by the Planning Inspector as part of the Examination process.

Overview and Scrutiny input

26. The draft Development Strategy attached as Appendix A is a draft version. There is work ongoing to refine the detailed wording further and ensure a greater level of consistency across the document and this work will address any typographical or formatting errors. There will also be graphical material in the form of a Key Diagram and maps illustrating specific proposals included in the version of the Strategy published for consultation. However, at this stage officers are seeking Members' views on the overall content and approach of the document.
27. In order to focus the Committee's attention on the key issues, a number of specific questions have been listed below. While comments are welcome on any aspect of the document, Member's attention is particularly drawn to the following issues and questions.
- (a) Are the Issues and Challenges listed in section 2 of the draft Development Strategy a suitable summary of the situation now and going forward?
 - (b) Do the Vision and Objectives represent an appropriate response to the issues and challenges we face?
 - (c) Is the housing target of 28,750 new homes for 2011-31 listed in Policy 2 appropriate? (see appendix B for further details)
 - (d) Is the jobs target of 27,000 new homes for 2011-31 listed in Policy 2 appropriate? (see appendix C for further details)
 - (e) Are the proposed sites listed in Policy 2 the most appropriate? (see appendix D for further details)
 - (f) Are Members content that a review of Green Belt boundaries is necessary in order to accommodate development?
 - (g) Policy 5 provides a positive enabling framework for Neighbourhood Plans to deliver sites outside settlement boundaries. Does this policy represent appropriate local flexibility while still maintaining a strategic framework? The policy also enables consideration of potential development sites in the Green Belt through Neighbourhood Plans. Are Members' comfortable with this approach?
 - (h) Policy 8 allows consideration of employment proposals outside of settlement boundaries. This is a change from the existing approach where such proposals would be contrary to policy. It is aimed at responding to the need for economic development in Central Bedfordshire and the realities of the way such proposals come forward. Is Policy 8 a suitable approach?

- (i) Various policies within chapters 10 and 11 aim to deliver a new approach to development and set the framework for more detailed policy guidance through Supplementary Planning Documents (SPDs). This new approach would involve a better mix of development, with more focus on larger properties with larger room sizes, larger gardens, more parking spaces and more green space. However, this focus on high quality development will probably result in slightly lower densities and therefore could require a greater land take. Do Members agree with this approach? (see appendix E for further details).
- (j) Policy 44 requires new development to meet certain standards in relation to the Code for Sustainable Homes ahead of the changes brought about by the Building Regulations. This will help to deliver more sustainable development and help to address climate change but will place more of a burden of developers and could impact on viability. The viability issues will be tested separately and the results reported back to Members but at this stage are Members content to pursue this approach as a proposal for comment?

27. Members' views are sought on all aspects of the strategy in order to advise the Executive Member in exercising his delegated authority to approve the document for public consultation.

Appendices:

Appendix A – draft Development Strategy

Appendix B – Sustainability Appraisal summary of housing provision options

Appendix C – Sustainability Appraisal summary of jobs provision options

Appendix D – Sustainability Appraisal summary of strategic growth options

Appendix E – Sustainability Appraisal summary of high quality development options

Background papers and their location: (open to public inspection)

None