
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. 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
 - 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. 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.

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