

**EXECUTIVE – 18 JULY 2012**  
**LOCAL DEVELOPMENT SCHEME – LIVE UPDATE**  
**REPORT OF DEPUTY CHIEF EXECUTIVE FOR COMMUNITY**  
**DIRECTION**



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**WARDS AFFECTED: 'ALL WARDS'**

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1. **PURPOSE OF REPORT**

To seek Members approval to the revised Local Development Scheme (LDS) timetable. The revised timetable shows an extension to the Site Allocations and Generic Development Control Policies DPD timetable and an extension to the Earl Shilton and Barwell Area Action Plan from the original timetable approved at Council on 29 June 2010. The timescales for the production of the Gypsy and Traveller Allocations DPD has been amended to reflect the changes to the production of the other documents and team capacity.

A separate programme to show the timescales for producing a Community Infrastructure Levy Charging Schedule is also attached and requires Member approval.

Once approved the key dates shall be posted on the internet as a live update. A copy of the programme is attached to this report.

2. **RECOMMENDATION**

It is recommended that Members approve the programmes, and agree to the information being published on the Council's website.

3. **BACKGROUND TO THE REPORT**

The LDS was introduced by the Planning and Compulsory Purchase Act (2004) to provide an assessment of progress on local development documents contained within the Local Development Framework (LDF) now known as the Local Plan (2006 – 2026). All the Local Planning Authorities are required to prepare a LDS, which sets out a 3 year rolling programme for the production of each document identified in the scheme. The previous LDS was adopted in June 2010 and expires in June 2013. The purpose of this report is to update the original programme in light of the planning reforms introduced by the Coalition Government.

DCLG published the National Planning Policy Framework (NPPF) in March 2012 which effectively abolished 25 Planning Policy Statements / Planning Policy Guidance Notes (PPS's / PPG's) and planning circulars which amounted to more than 1,000 pages of national planning policy

In addition to the slim-lining of national planning policy, the regional tier of policy is also to be abolished through the intended abolition of the Regional Spatial Strategy. The East Midlands Regional Plan is to be abolished through the Localism Act, the implications of this action on the workload of the policy team was not envisaged at the time of the original LDS, but is likely to involve a comprehensive review of the East Midlands Regional Plan to establish if there are policy vacuums as a result of the abolition which will need to be reproduced at a local level. It is worth noting at this juncture that it was previously a test of soundness for Development Plan Documents such as the Core Strategy to not simply replicate national and regional policies. Therefore now that these policies are being deleted it is essential that this work is undertaken to ensure that policy gaps are not created causing problems for the council at a later date.

These two actions alone will have significant implications on the work already completed by the planning policy team but also work going forward. The devolving of much of the policy framework to local communities is also likely to increase the work of the policy team in working directly and indirectly with local groups. These changes have been reflected in the timetable being considered.

## **Progress**

Since the LDS was adopted, the Hinckley Town Centre Area Action Plan, the Rural Needs SPD and the Affordable Housing SPD have all been adopted. In addition there are several evidence base documents which have been approved by Executive, however a number of evidence bases are still to be finalised in order to inform the remaining Development Plan Documents.

## **Proposed Revised Programme for Development Plan Documents**

The revised Earl Shilton and Barwell AAP timetable shows the key dates for Scenario 1 as;

- Committee cycle for approval of the pre-submission version of the AAP - November / December 2012
- Consultation - January / February 2013 (6 week period)
- Examination in Public – July 2013
- Adoption – November 2013

This reflects the delays which have occurred in the preparation of the highways evidence base. The modelling work has now commenced and officers are seeking to ensure that it is expedited in the shortest possible timeframe. Following the conclusion of the highway modelling a series of documents are compiled using the results of the modelling work, these documents include the Strategic Transport Assessment, completion of the Infrastructure Plan and the viability assessment.

If the timetable for the LLITM transport modelling does not meet with what is envisaged it may be necessary to use the Committee cycle during January / February 2013 for approval of the pre-submission version of the AAP and hold the formal consultation during June / July 2013 following the County elections. This reflects scenario 2 shown on the attached timetable, the key dates for scenario 2 are as follows;

- Committee cycle for approval of the pre-submission version of the AAP - January / February 2013
- Consultation – June / July 2013 (6 week period)
- Examination in Public – December 2013
- Adoption – April 2014

It is anticipated that the determination of the Barwell planning application will take place when the Earl Shilton and Barwell Area Action Plan has been agreed for consultation by Council and officers are working with the developers and other stakeholders/partners to achieve a decision on the application around November 2012.

The Site Allocations and Generic Development Control Policies DPD timetable has been amended to take into consideration the planning reforms introduced by the Coalition Government, the key dates are as follows;

- Committee Cycle – June / July 2013
- Consultation – August / September 2013
- Examination in Public – August 2014
- Adoption – December 2014

The Gypsy and Traveller Allocations DPD timetable has been amended to take into consideration the new planning policy statement introduced in March 2012, and the other documents in production by the Policy Team, the key dates are as follows;

- Committee Cycle for pre-submission version of the DPD – August / September 2014
- Consultation – October / November 2014
- Examination in Public – October 2015
- Adoption – February 2016.

### **Programme for CIL Charging Schedule**

The Community Infrastructure Levy Charging Schedule is being prepared by the Planning Policy Team with assistance from Consultants who have been appointed jointly with the other Leicestershire Authorities. The attached timetable has been prepared jointly with the consultants, the work programme includes Member engagement between mid August 2012 to late September 2012 and a further round of Member engagement in December 2012 to Mid January 2013. The timetable shows the consultation on the draft charging schedule taking place January / February 2013 and the adoption of the charging schedule towards the end of 2013. It should be noted that this is a countywide process at present and the timetable is liable to change.

### **Conclusion**

As the National Planning Policy Framework (Para 12) does not alter the status of the plan led system, the production of Local Development Plan Documents should remain a priority. Members are advised to support the recommended revisions to the LDS timetable as set out.

#### 4. FINANCIAL IMPLICATIONS [CB]

None arising directly from this report. Any additional budgets required to complete the works detailed in the timetables will need formal approval in line with the Council's financial regulations.

#### 5. LEGAL IMPLICATIONS [EP]

The NPPF contains a range of requirements that must be met when creating new planning policy, the Local Plan (2006 – 2026) and DPD must reflect these. Whilst there is a need to ensure policy is brought up to date as swiftly as possible the revised timetable will ensure that when brought forward the Council has strong, robust and NPPF compliant policies.

Further, the documents feeding into the policies must provide robust evidence bases therefore the satisfactory completion of them must be achieved in order to then feed into the draft policies.

#### 6. CORPORATE PLAN IMPLICATIONS

The report has implications on the following corporate aims, as the Development Plan Documents contain policies relating to these aims and the delivery of these aims:

- Thriving economy
- Strong and distinctive communities
- Decent, well managed and affordable housing.

#### 7. CONSULTATION

The documents which make up the LDS are all subject to periods of consultation which will be undertaken in line with the Councils adopted Statement of Community Involvement.

## 8. RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Any plan being prepared will not be legally compliant if the LDS timetable is not updated to reflect the current position of plan preparation. Therefore the plan will be found unsound at the Examination in Public.	Approve the LDS timetable as set out within this report.	Simon Wood / Sally Smith
Appeal against non determination by the applicant for the Barwell Sustainable Urban Extension application.	Work closely with the developers and other partners to determine the application at the earliest possible opportunity.	Simon Wood

## 9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

The timetable and the documents involved have borough wide implications.

## 10. CORPORATE IMPLICATIONS

By submitting this report, the report author has taken the following into account:

- Community Safety implications - None relating to this report
- Environmental implications – None relating directly to this timetable, but there are environmental implications relating to the documents which are the subject of the timetable.
- ICT implications – None relating to this report
- Asset Management implications - None relating directly to this timetable, but there are asset management implications relating to the documents which are the subject of the timetable.
- Human Resources implications– None relating to this report
- Planning Implications – Contained within the body of the report
- Voluntary Sector - – None relating to this report

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Background papers: The Town and Country Planning (Local Development) (England) Regulations 2004 – Regulations 8 / 9 / 10 (as amended by The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 – Regulation 2)  
LDS Programme Update

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